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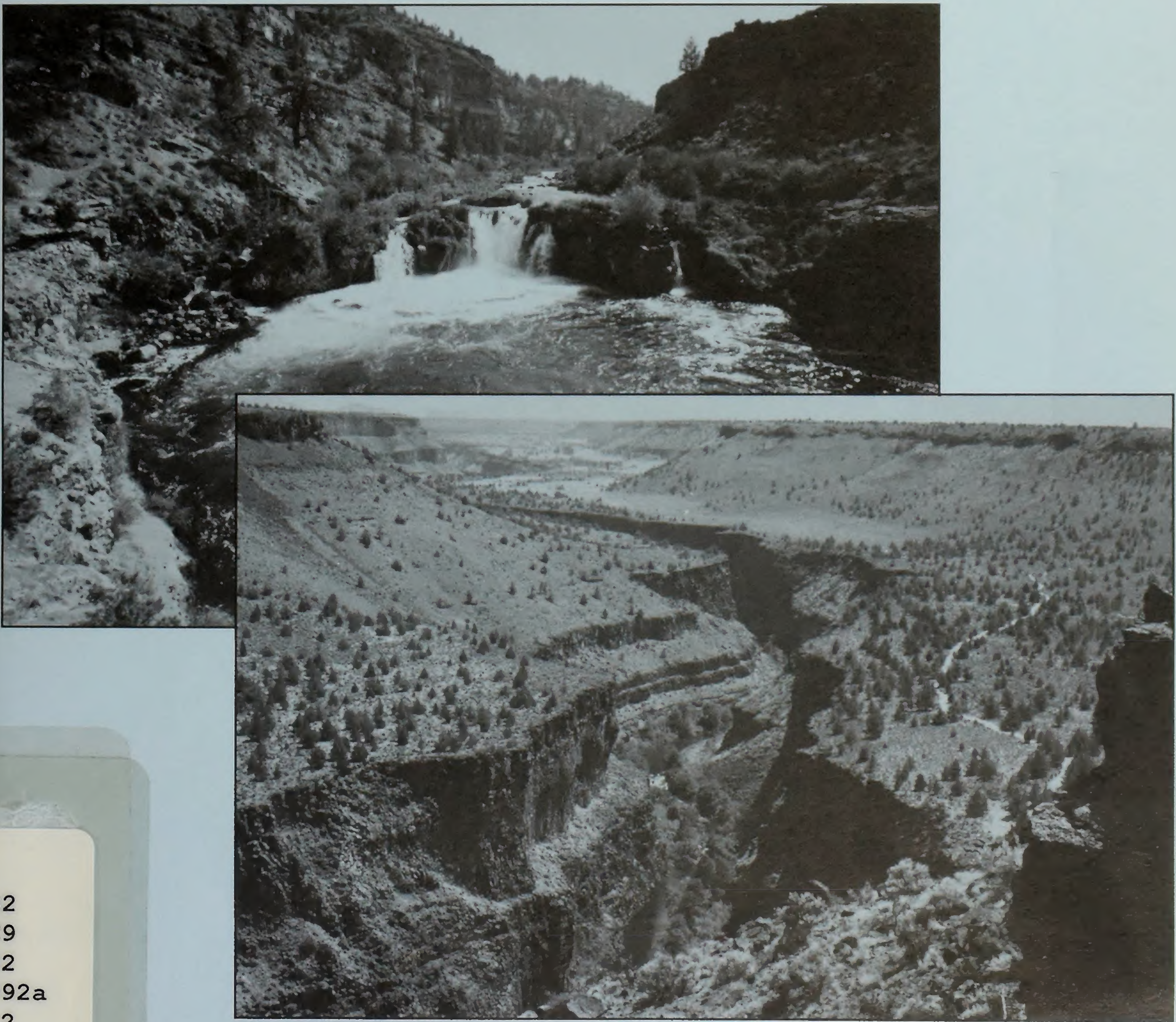
Oregon State Parks and Recreation Department

Final

December 1992

Middle Deschutes/Lower Crooked Wild and Scenic Rivers' Management Plan



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As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering the wisest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all our people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

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December 16, 1992

Dear River Enthusiast,

Enclosed is the Final Middle Deschutes/Lower Crooked Rivers' Management Plan. This plan has been a joint two-year effort between the public, Bureau of Land Management, Ochoco National Forest, Oregon State Parks and Recreation Department, and a variety of local agencies.

The Final Plan should be used in conjunction with the Draft Middle Deschutes/Lower Crooked Rivers' Management Plan and Environmental Assessment which was released on August 28, 1992. The management actions in the Final Plan were derived by combining the Preferred Alternative and Management Actions Common to All Alternatives found in the Draft document. Management actions also reflect consideration of public comments and further analysis of planning issues.

All segments of the public retain the right to protest or appeal management decisions within 30 days of receipt of this plan. The Decision Record for decisions made on Bureau of Land Management administered lands is incorporated into this plan. You have the right to protest to the Prineville District Manager and thereafter appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations of 43 Code of Federal Regulations (CFR) 4.400. The Decision Notice for decisions made on Ochoco National Forest (Crooked River National Grasslands) will be issued in January 1993 and mailed to all recipients of this plan. These decisions are subject to appeal pursuant to 36 CFR 217.

At the end of the 30 day protest/appeal period, the Final Plan excluding any portion under protest/appeal, shall be implemented. Implementation of any portion of the Final Plan under protest/appeal shall be withheld pending protest resolution.

The proposed Oregon State Parks management program for the Middle Deschutes State Scenic Waterway has been developed in conjunction with this plan and can be found in Chapter 3. The State Parks Department has notified the Oregon Secretary of State that the Parks Commission will be considering the adoption of the proposed management program at their January 21-22, 1993 Commission meeting to be held at the Silver Falls State Park Conference Center.

We sincerely appreciate your interest and participation in management of the Middle Deschutes and Lower Crooked River corridors.

James G. Kenna
Deschutes Area Manager
Prineville, BLM

Thomas A. Schmidt

Thomas A. Schmidt
Forest Supervisor
Ochoco National Forest

Robert L Meinen

Robert L. Meinen
Director, Oregon
Parks and Recreation

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Decision Record
and
Finding of No Significant Impact

Middle Deschutes/Lower Crooked
Wild and Scenic Rivers' Management Plan

Prineville, Oregon

USDI, Bureau of Land Management

Decision:

It is the decision of the Bureau of Land Management to adopt the Preferred Alternative (Alternative 5) and its associated management plan as described in the Draft Middle Deschutes/Lower Crooked Rivers' Wild and Scenic River Management Plan and Environmental Assessment (MDLCMP/EA - August 1992). This decision incorporates by reference all management actions under the Preferred Alternative and Management Actions Common to All Alternatives (MACTAA's). Some management actions were slightly modified to reflect new information and public comments received during the public review period of the Draft MDLCMP/EA. This decision also incorporates by reference mitigating measures identified in the Draft MDLCMP/EA.

Rationale:

The Preferred Alternative and MACTAA's were chosen as the best management alternative scenario because together they offer the widest range of beneficial uses of the environment without degradation and provide the greatest overall protection and enhancement of the river corridors outstandingly remarkable and significant resource values.

All management actions are in conformance with the Brothers/LaPine and Crooked River National Grasslands Land and Resource Management Plans, and satisfy requirements of the Omnibus Oregon Wild and Scenic Rivers Act of 1988 and the National Environmental Policy Act.

Monitoring:

Monitoring and evaluation of the river management plan has been addressed in Chapter 4 of the accompanying document. This monitoring plan is incorporated by reference into this decision.

Finding of No Significant Impact:

The Bureau of Land Management (Prineville District) in cooperation with the Ochoco National Forest (Crooked River National Grasslands), and Oregon State Parks and Recreation Department has analyzed various alternatives for managing the Middle Deschutes and Lower Crooked Wild and Scenic River corridors. The alternatives and associated analysis are described in the Draft MDLCMP/EA; which was made available for public review on September 18, 1992. This document can be obtained by contacting one of the managing agency offices. The options for management direction identified in the Draft MDLCMP/EA, hereby incorporated by reference, will assure that no significant impacts will occur to the human environment.

Under the five alternatives analyzed, significant impacts on quality of the human environment will not occur based on, but not limited to, the following considerations:

> Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests, or the locality.
>
> Public health or safety will not be significantly affected.
>
> Public lands within the legal river corridor boundary will remain in federal or state ownership under all alternatives. This will ensure protection of riparian resources (floodplain/wetland).
>
> The alternatives are not a part of any other action having the potential for cumulatively significant impacts to the outstandingly remarkable resource values in the planning area.
>
> Cultural resources on, or eligible for, the National Register of Historic Places will not be adversely affected, nor would Native American religious sites.
>
> The alternatives will not significantly affect endangered or threatened species or their habitat determined to be critical under the Endangered Species Act of 1973 (as amended).
>
> The alternatives do not violate federal, state, or local legal requirements for environmental protection, or are there any known inconsistencies with officially approved or adopted federal, state, tribal, or local resource plans, policies or programs.
>
> Adverse impacts identified are minimal. Continued resource monitoring will ensure that no significant adverse impacts occur. As needed, appropriate management actions will be instituted to protect and/or enhance outstandingly remarkable values (scenery, recreation, geology, hydrology, fish, wildlife, cultural, and botanical), other important natural resources, and impacts to threatened or endangered species habitat.

On the basis of the information contained in the Draft MDLCMP/EA and all other information available as summarized above, it is the determination of the Bureau of Land Management that none of the five alternatives constitute a major federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement is unnecessary and will not be prepared.

I recommend adoption of the Middle Deschutes/Lower Crooked Wild and Scenic Rivers' Management Plan/EA.

Edward F. Perault

12/14/92

Edward F. Perault
Outdoor Recreation Planner
Bureau of Land Management

Date

Management Approval:

I approve the Middle Deschutes/Lower Crooked Wild and Scenic Rivers' Management Plan/EA decisions as recommended. This document meets the requirement for agency decision making as provided in 40 CFR 1505.

12/14/92

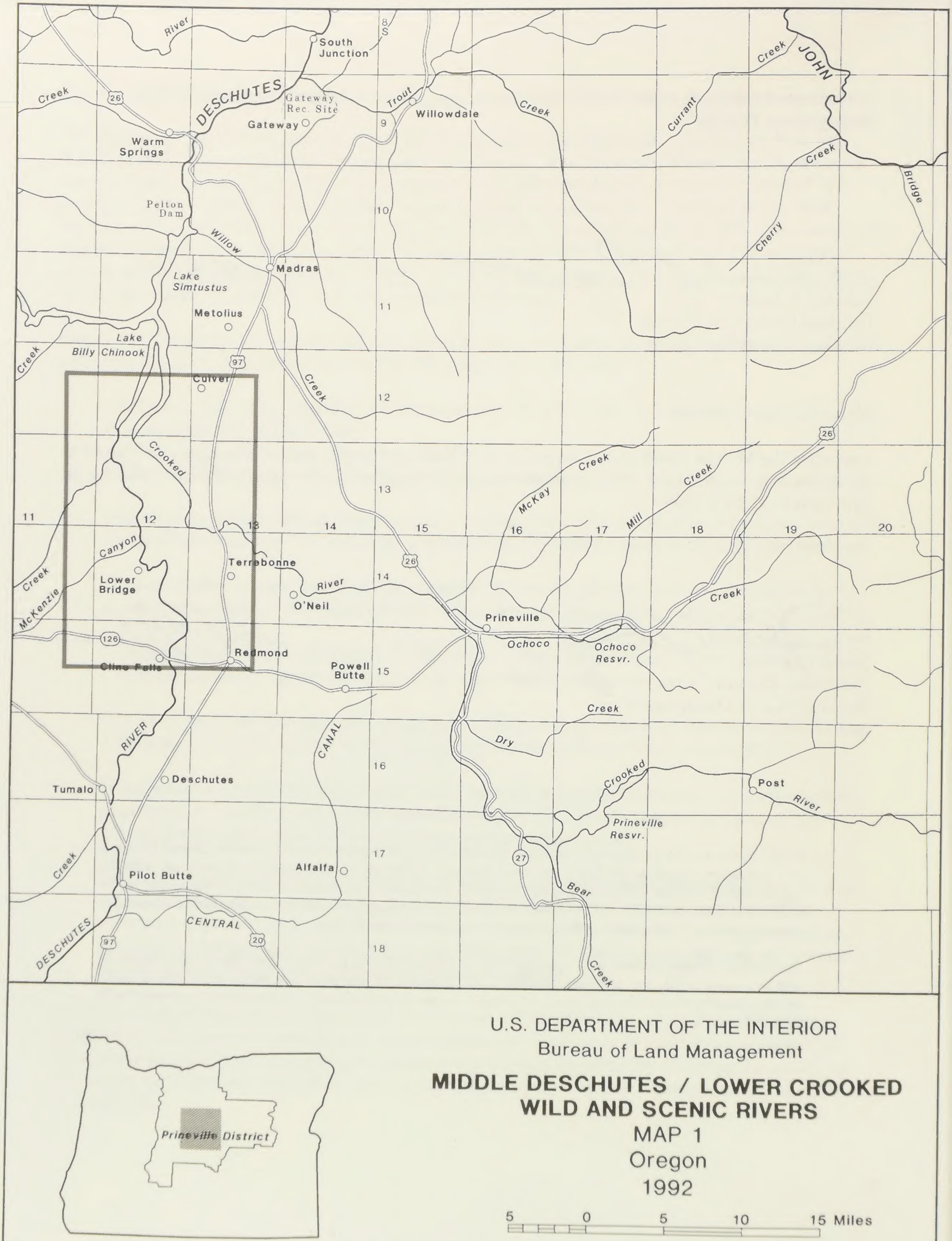
James G. Kenna
Deschutes Resource Area Manager
Bureau of Land Management

Date

Appeals Process

Within 30 days of the receipt of this decision, you have the right to protest to the Prineville District Manager and thereafter appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations of 43 Code of Federal Regulations 4.400 for decisions applicable to lands administered by the BLM. The Protest to the District Manager must be filed in writing in this office. If no protests or appeals are filed, this decision will become effective and be implemented in 30 days.

The Decision Notice for decisions made on Ochoco National Forest (Crooked River National Grasslands) will be issued in January 1993 and mailed to all recipients of this plan. Decisions applicable to lands administered by the U.S. Forest Service are subject to appeal to the Ochoco National Forest pursuant to 36 CFR 217.


River
South Junction
8
S
DESCHUTES
Gateway Rec. Site
Gateway
Trout
Willowdale
9
Creek
JOHN
Creek
Currant
Creek
26
Warm Springs
Creek
Bridge
Pelton Dam
10
Willow
Cherry
Madras
Lake Simtustus
Metolius
11
Lake
Billy Chinook
Creek
97
Culver
Creek
12
Crooked
26
Creek
McKay
Creek
13
Mill
11
12
13
14
15
16
17
18
19
20
Canyon
Terrebonne
Creek
Lower Bridge
River
14
26
McKenzie
O'Neil
Creek
Prineville
126
Ochoco
Ochoco Resvr.
Redmond
Cline Falls
Powell Butte
15
Creek
RIVER
CANAL
Dry
16
Deschutes
Crooked
Post
Tumalo
River
Prineville Resvr.
27
Creek
17
Alfalfa
Pilot Butte
Bear
DESCHUTES
CENTRAL
97
20
18
Creek
Prineville District

U.S. DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MIDDLE DESCHUTES / LOWER CROOKED
WILD AND SCENIC RIVERS

MAP 1

Oregon

1992

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5
10
15 Miles

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I. Introduction

A. Introduction

This river management plan contains management actions necessary to protect and enhance resource values and resolves key issues that exist within the Middle Deschutes and Lower Crooked Wild and Scenic River corridors as presented in the August 1992 Draft Management Plan and Environmental Assessment. The plan also describes in detail the implementation and monitoring strategies for those management actions. It describes how each resource will be managed as well as the projects and coordination necessary to implement the plan.

The plan does not present information on the affected environment, environmental consequences, rational, or effects of management. This information was previously discussed in the Draft Management Plan and Environmental Assessment which can be obtained by contacting the Bureau of Land Management Prineville District Office, Ochoco National Forest Supervisors Office, or the Oregon State Parks and Recreation Department.

An interdisciplinary team approach was used to prepare the river management plan (a list of planning team members and resource specialists is included in Appendix A). The planning process provided opportunities for involvement of local, State, Tribal, and other Federal agencies as well as interested citizens in accordance with the National Environmental Policy Act (NEPA) and the Wild and Scenic Rivers Act of 1968, including all amendments.

The river management plan is organized into four separate parts. Chapter 1 is an introduction and overview. Chapter 2 defines management goals, desired future conditions, and management actions (standards and guidelines) that will be applied to the river corridors. Chapter 3 provides an overview of the State Scenic Waterway Program for the Middle Deschutes River. Chapter 4 discusses the implementation and monitoring strategy. Appendices include: a list of Planning Participants, References, Glossary, Memorandum of Understanding between the managing agencies, State Scenic Waterway General Administration Rules, and legal boundary descriptions for the Middle Deschutes and Lower Crooked River corridors.

B. Purpose and Need

Congress enacted the National Wild and Scenic Rivers Act in 1968. With this legislation, a system was established for protecting outstanding free-flowing rivers nation-wide. The National Wild and Scenic Rivers Act requires that a river be free-flowing and possess one or more "Outstandingly Remarkable" values. The Act provides for protective management and control of development for rivers included in the system.

In October 1988, 20 miles of the Middle Deschutes, from Odin Falls to the gauging station near Lake Billy Chinook (Segments 3 and 4), was designated by the U.S. Congress as a National Wild and Scenic River and classified as a scenic river area. Congress also designated the 9.8 mile segment of the Lower Crooked River from the National Grasslands boundary near Ogden wayside to river mile 8 as a National Wild and Scenic River and was classified as a recreational river area. Congress determined scenic, recreation, cultural, geologic, wilderness, hydrologic, fish and wildlife, as well as historic and botanical resource values within the Middle Deschutes River corridor to be outstandingly remarkable. Congress also determined that scenic and recreation resource values within the Lower Crooked River corridor are outstandingly remarkable. Outstandingly remarkable values are discussed in further detail in Chapter 2.

In addition to the Federal Wild and Scenic designation, the Middle Deschutes River between Sawyer Park in Bend, Oregon to Lake Billy Chinook was recently designated as a component of the Oregon State Scenic Waterway System. This designation includes Segments 1 - 4 of the Middle Deschutes as shown in Table 1. By law, the boundary for this State Scenic Waterway is 1/4 mile from the bank on each side of the river. There is no State Scenic Waterway designation for the Lower Crooked River at this time. Refer to Chapter 3 for more information on State Scenic Waterways.

Section 3 of the Wild and Scenic Rivers Act (Public Law 90-542, 82 Stat. 907) specifies that a comprehensive management plan will be developed for the Middle Deschutes and Lower Crooked Rivers. The Secretary of Interior, given responsibility for administering these rivers, delegated this duty to the Bureau of Land Management (BLM) and was mandated to have the plan completed by September, 1992. Because the U.S. Forest Service and Oregon State Parks and Recreation Department also have administrative responsibilities within the planning area, they are joint partners in the coordinated planning process. It was determined in the early stages of the planning effort to include an amended State Scenic Waterway Plan within this document to ensure land management consistency.

The joint river management plan will guide management for the designated portions of the Middle Deschutes and Lower Crooked Rivers until it is revised. The Federal portion of the plan serves as a subordinate site-specific activity plan for public lands[1] within the river corridors. It fosters protection and enhancement of resource values and allows public use and enjoyment of those resource values while complimenting and implementing portions of the Brothers/LaPine Resource Management Plan and Crooked River National Grasslands Land and Resource Management Plan. The State portion of the plan (State Scenic Waterway Program) will continue to promote cooperative protection and wise use of the Middle Deschutes River by all agencies (federal, state, local) and individual property owners. Overall, the river management plan satisfies requirements of the National Environmental Policy Act, the Omnibus Oregon Wild and Scenic Rivers Act of 1988, and conforms to each managing agency's existing resource management plans and/or program specific documents.

Management of Deschutes and Jefferson county public lands within the wild and scenic river corridors is not included within this document. Management of these county lands will be as defined in their revised comprehensive plans.

---

[1] *Public land(s) in the context of this document is synonymous with state and federally managed lands.*

Table 1 - River Segments*

Segment 1	Middle Deschutes	The 5 mile segment from Sawyer Park to Tumalo State Park.
Segment 2	Middle Deschutes	The 17 mile segment from Deschutes Market Road to Odin Falls.
Segment 3	Middle Deschutes	The 9 mile segment from Odin Falls to the Wilderness Study Area (WSA) boundary.
Segment 4	Middle Deschutes	The 11 mile segment from the WSA boundary to the Upper End of Lake Billy Chinook.
Lower Crooked River Segment		The entire 9.8 mile segment from the National Grassland boundary to Opal Springs.

** These segments were identified during development of the resource assessment. State Scenic Waterway segments are broken down into more specific areas as shown in Chapter 3.*

C. River Description

This document provides a comprehensive framework for managing public lands within the Middle Deschutes/Lower Crooked River Planning Area (river corridors[2]) as shown on Map 2. The boundaries are an irregular shape designed to include as many of the areas as possible that contain or directly support the identified outstandingly remarkable values associated with the rivers. The area within each corridor boundary averages 320 acres per river mile as required by the Wild and Scenic Rivers Act. Combined, the river corridors encompass 3,645 acres of BLM managed public land, 2,535 acres of National Grassland, 210 acres of state land, and 2,915 acres of private land.

The Federally designated 20 mile portion of the Middle Deschutes River and 9.8 mile portion of the Lower Crooked River are described in the following river segment narratives. River descriptions for Segments 1 and 2 can be found in Chapter 3, State Scenic Waterways Program.

***Segment 3** - The 9 mile segment from Odin Falls to the Wilderness Study Area (WSA) boundary (Deschutes River mile 140 to 131).*

This segment begins 4 1/2 miles downstream from Highway 126 and is approximately 6 miles from the regional population center of Redmond. This 9 mile segment of State Scenic Waterway is also designated as a "scenic" component of the National Wild and Scenic River System. Approximately 530 acres are administered by the BLM (3.7 river miles), while approximately 1,310 acres (5.3 river miles) represent small parcels of private land, private subdivisions, and/or agricultural lands.

---

[2] River corridor(s) represent the total area within the wild and scenic river boundary(s).

The river flows through a 150 foot deep, very scenic, steep-walled basalt canyon. Excellent fishing opportunities exist for rainbow and brown trout, as well as, mountain whitefish. This river segment is accessible by vehicle in several locations, however, large tracts of private land limit public access. Lower Bridge Market Road, which crosses the Middle Deschutes at river mile 133.5, offers recreationists limited access for a short distance downriver along the west bank. No constructed or maintained trails exist in the area, however, a number of user developed trails are used by a variety of recreationists. This segment has numerous cultural/historical sites.

Vegetation varies greatly from the plateaus to the canyon bottoms. The vegetation on the plateaus consists primarily of juniper, sagebrush, bitterbrush, rabbitbrush, numerous grass species and a few scattered ponderosa pine. Riparian vegetation includes willow, alder, mock orange, juniper, spireas, sedges, wild rose, red-osier dogwood, penstemon and many other species.

Farm and Ranch lands, within and adjacent to the corridor, produce a variety of important crops and contribute to a stable economy. An active diatomaceous earth (Dicalite) mine and an abandoned strip mine are located west of the corridor where Lower Bridge Market Road crosses the river. In addition, an active gravel quarry is located adjacent to the corridor on the east side of the river in the same area.

Segment 4 - The 11 mile segment from the WSA boundary to the Upper End of Lake Billy Chinook (Deschutes River mile 131 to 120).

This segment is located directly adjacent to the community of Crooked River Ranch and is approximately 10 to 15 miles from the regional population centers of Redmond and Madras, respectively. This 11 mile segment is a State Scenic Waterway as well as a "scenic" component of the National Wild and Scenic River System. Approximately 2,595 acres (8 river miles) are administered by the BLM and 1,520 acres (1 river mile) are administered by the National Grasslands. ODF&W also manages a small 40 acre parcel within this segment. Private subdivisions, agricultural lands, and other private lands total approximately 315 acres.

The river flows through a deep rugged, highly scenic, steep-walled basalt canyon that increases in depth as it proceeds northward. Excellent fishing opportunities exist for rainbow, brown, bull trout and kokanee. Vehicle access is limited in the corridor due to its rugged character and private lands along the canyon rim. No constructed or maintained trails exist in the area, however, a number of user developed trails are used by a variety of recreationists. This segment has numerous cultural sites containing rock art, rock shelters, and shell middens.

Vegetation varies greatly from the plateaus to the canyon bottoms. The vegetation on the plateaus consists primarily of juniper, sagebrush, bitterbrush, rabbitbrush, numerous grass species and a few scattered ponderosa pine. Riparian vegetation includes willow, alder, mock orange, juniper, spireas, sedges, wild rose, red-osier dogwood, penstemon and many other species. Squaw Creek, a major tributary in the lower part of this segment, as well as significant ground water sources add to the water flow. A number of water withdrawals for private and agricultural uses exist within the corridor.

This segment is located entirely within the Deschutes Canyon/Steelhead Falls Wilderness Study Area (WSA). This area was jointly studied by the BLM and National Grasslands to inventory wilderness values and determine wilderness suitability. Both agencies recommended to Congress that the area be managed for uses other than Wilderness. The area is currently managed under WSA interim management guidelines to protect wilderness values until Congress makes its final determination.

Lower Crooked *- The 9.8 mile segment from the National Grassland boundary to river mile 8, south of Opal Spring (river mile 17.8 to 8.0).*

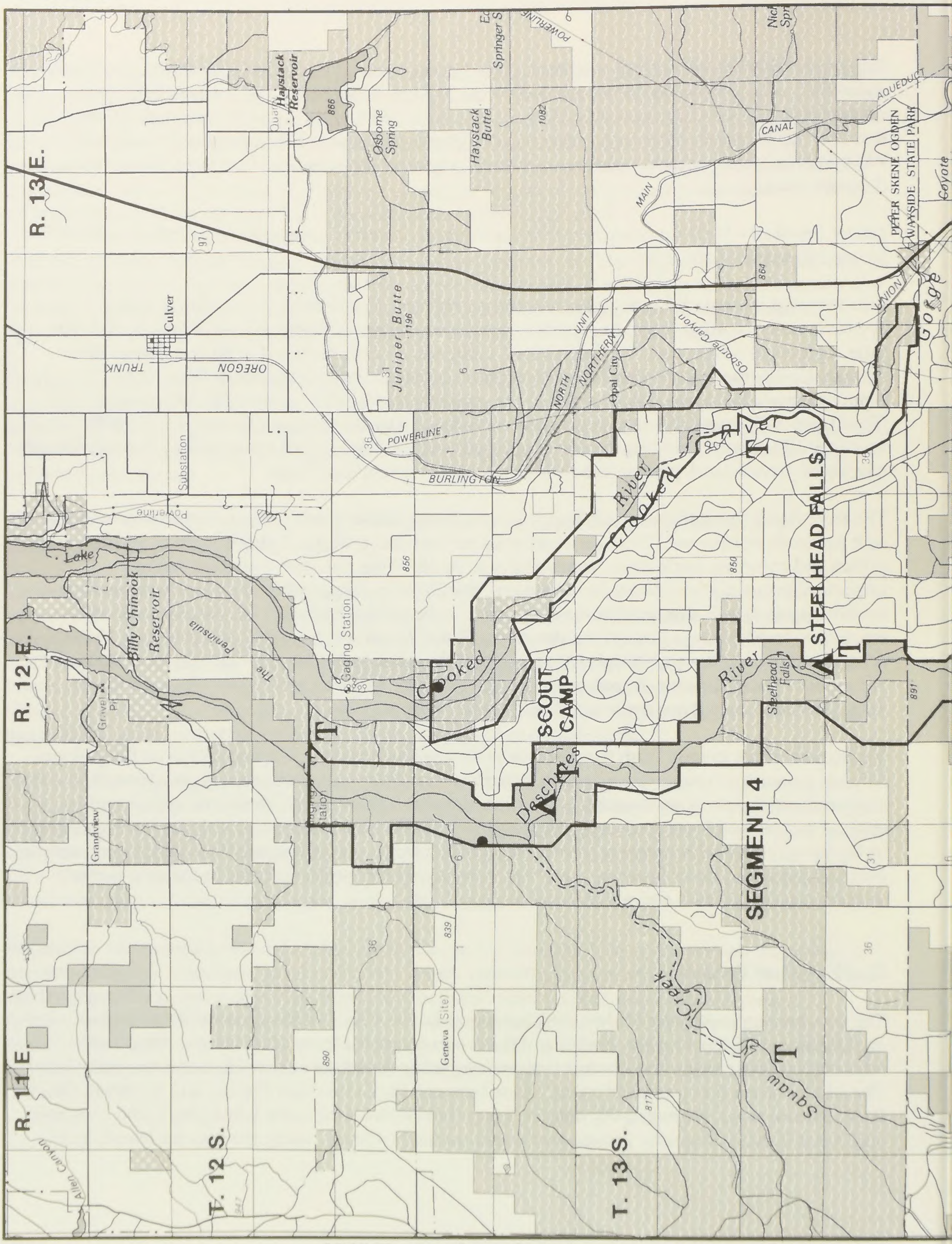
This segment is located directly adjacent to the community of Crooked River Ranch and is approximately 10 miles from the regional population centers of Redmond and Madras. This 9.8 mile segment is designated as a "recreation" component of the National Wild and Scenic River System. Unlike the Middle Deschutes River, this segment is not a State Scenic Waterway. Approximately 520 acres (2.3 river miles) are administered by the Bureau of Land Management (BLM) and 1,015 acres (2.4 river miles) are administered by the National Grasslands. ODF&W also manages 170 acres within this segment. Approximately 1,290 acres (5.1 river miles) represent small parcels of private land, private subdivisions, and/or agricultural lands.

The river flows through a rugged, highly scenic, steep-walled basalt canyon that increases in depth as it proceeds northward. There are numerous natural and geologic features such as springs, rock pillars and columns, eagle nests, waterfalls and rapids along the river. Excellent fishing opportunities exist for rainbow trout upriver from Opal Springs, within the corridor boundary, and for brown trout, bull trout and kokanee downriver from Opal Springs, outside the corridor boundary. In addition, a limited number of small and largemouth bass inhabit the river. Vehicle access is limited in the corridor due to its rugged character and private lands along the canyon rim. A number of user developed trails exist directly adjacent to the Crooked River Ranch Clubhouse area. However, no agency constructed trails exist in the area.

Vegetation varies greatly from the plateaus to the canyon bottoms. The vegetation on the plateaus consists primarily of juniper, sagebrush, bitterbrush, rabbitbrush, numerous grass species and a few scattered ponderosa pine. Riparian vegetation includes willow, alder, mock orange, juniper, spireas, sedges, wild rose, red-osier dogwood, penstemon and many other species. Several springs in the lower part of this segment contribute significantly to constant water flow, water temperature, and water quality. River flows entering this river segment are extremely limited due to water withdrawals for private and agricultural uses.

D. Historical Perspective

The area encompassing the Middle Deschutes and Lower Crooked River corridors played a significant role in shaping the lifestyles of those occupying the area. Many areas within and adjacent to these corridors are natural migration passages and are rich in life sustaining resources. The area is situated in a cultural contact zone between the Columbian Plateau and Northern Great Basin culture areas. Ethnographic data indicates that Native Americans belonging to the Penutian and Aztec-Tanoan linguistic groups lead a semi-nomadic lifeway using the area for travel, lodging,


Haystack Reservoir
Osborne Spring
Haystack Butte
Springer
POWERLINE
AQUEDUCT
CANAL
MAIN
PETER SKENE OGDEN WAYSIDE STATE PARK
Coyote
Gorge
UNION
NORTH UNIT
NORTHERN
Opal City
Osborne Canyon
Juniper Butte
Culver
OREGON TRUNK
97
R. 13 E.
R. 12 E.
R. 11 E.
T. 12 S.
T. 13 S.
Substation
POWERLINE
BURLINGTON
Powerline
Lake Billy Chinook
Reservoir
The Peninsula
Gaging Station
Crooked River
SCOUT CAMP
STEELHEAD FALLS
Steelhead Falls
River
Deschutes
SEGMENT 4
Grandview
Gravel Pit
Geneva (Site)
Creek
Squaw
Allen Canyon
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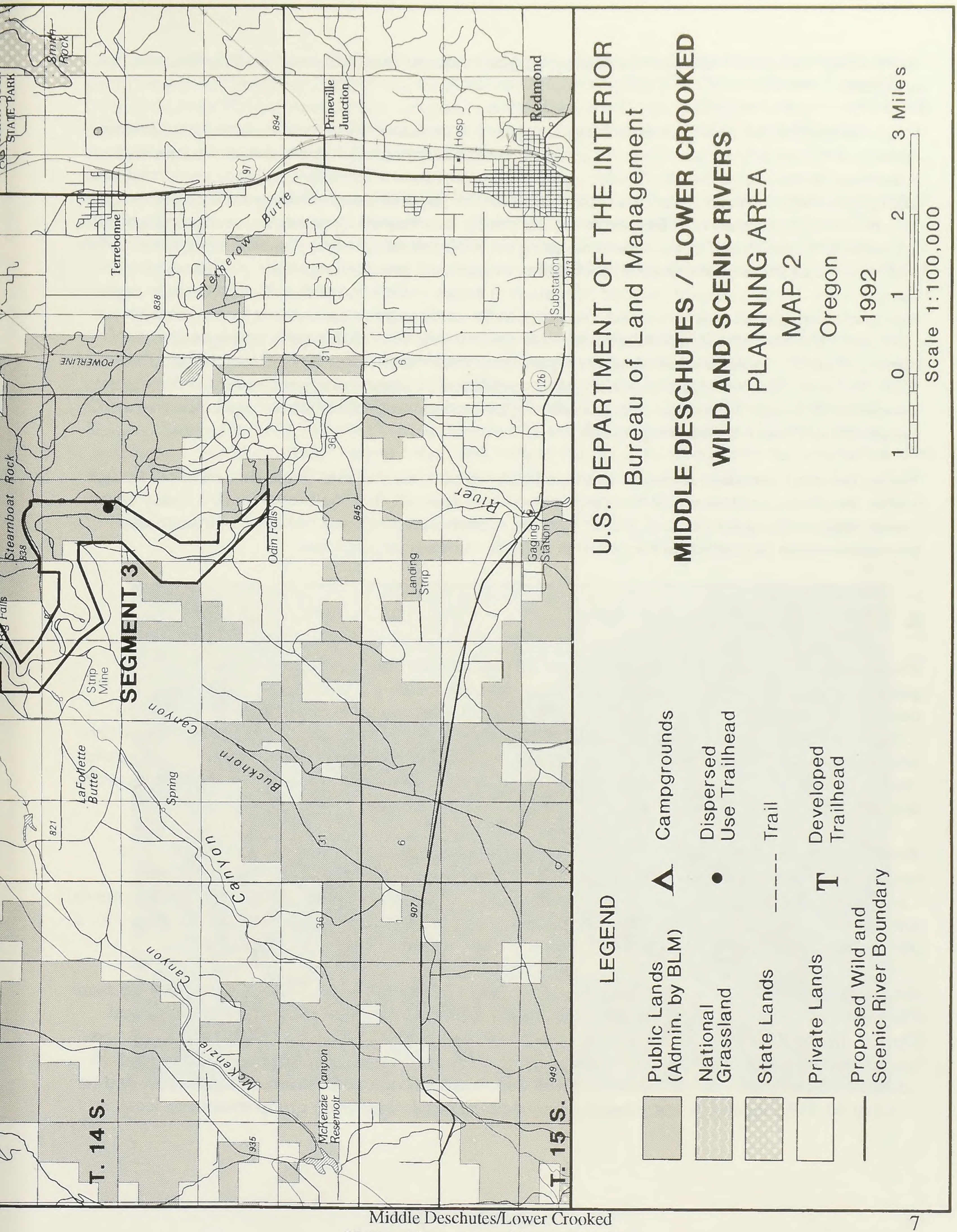


U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management

MIDDLE DESCHUTES / LOWER CROOKED WILD AND SCENIC RIVERS

PLANNING AREA
MAP 2
Oregon
1992

Scale 1:100,000

LEGEND

- ▨ Public Lands (Admin. by BLM)
- ▨ National Grassland
- ▨ State Lands
- ☐ Private Lands
- — Proposed Wild and Scenic River Boundary
- ▲ Campgrounds
- ● Dispersed Use Trailhead
- ----- Trail
- T Developed Trailhead

T. 14 S.
T. 15 S.
SEGMENT 3
Smith Rock
STATE PARK
Prineville Junction
Redmond
Hosp
Terrebonne
Tetherow Butte
POWERLINE
Steamboat Rock
Big Falls
Odin Falls
Strip Mine
LaFollette Butte
Spring
Buckhorn Canyon
Canyon
McKenzie Canyon
McKenzie Canyon Reservoir
Landing Strip
Gaging Station
River
Substation
97
126
894
838
845
821
907
935
949
973
31
36
6
1
0
1
2
3 Miles

and fishing. Both river corridors contain significant evidence of cultural and traditional use activities.

Early fur traders and immigrants looking for a quicker or easier route west explored the general vicinity of the Middle Deschutes and Lower Crooked River corridors. Euro-American use was somewhat limited until the 1860's when gold miners and their supporters, military personnel, and immigrants began entering the area. The completion of the Willamette Valley and Cascade Mountain Military Road in 1862 greatly facilitated the movement of people, livestock, and goods into central and eastern Oregon. Homesteading activity was relatively minimal during the mid-late 1800's and was somewhat related to the mining of gold and precious minerals, to the east, in Canyon City. It was not until railroad construction began at the turn of the century that the region's transportation system was improved, resulting in the settlement of permanent towns, nearby. By the turn of the century homestead activity was quite extensive, aided in part by the cessation of mining ventures, increase in stockraising operations, and the passage of the Carey Land Act in 1894. Pre-war years led to extensive irrigation canals fed by large storage reservoirs in the Upper Deschutes drainage. Fisheries management projects and commercial irrigated agriculture were the outgrowth of these reclamation projects.

Today, the river corridors continue to shape lifestyles of many people. Those that reside in homes within the river corridors enjoy the scenic beauty and solitude that the canyons offer. Many enjoy yearly visits to the same piece of public land for recreational purposes. Others continue to use resources within the corridors for personal and/or commercial purposes.

E. Public Involvement

Due to the amount of private land and regional popularity of the river corridors, an extensive public involvement program was developed to make sure that the management plan would consider the concerns of local residents, landowners, recreation users, Deschutes and Jefferson County, the State of Oregon, other federal agencies, and all others having a stake in how the rivers are managed. The public involvement program consisted of public meetings, a citizen work group, mailings to interested parties, and informational flyers, as well as ongoing informal meetings with any party requesting them.

Public Meetings - Early in the planning process, seven scoping meetings were held to discuss issues and concerns that interested citizens had regarding the Middle Deschutes and Lower Crooked Rivers. In addition to providing interested parties an opportunity to voice their comments and concerns, attendees were given the opportunity to review the draft resource assessment with a 30-day comment period. All seven meetings were advertised in local and regional media.

On September 18, 1992 the Middle Deschutes/Lower Crooked Wild and Rivers' Draft Management Plan and Environmental Assessment was released for a 45-day public review/comment period. During the same time period, two public meetings were held (October 15 and 22, 1992) to discuss questions and concerns regarding the Draft Plan. A total of 18 interested individuals attended. In addition, 20 written comments were received before the 45-day review/comment period ended on October 30, 1992. Agencies and other interested publics included: work group members, local residents, adjacent landowners, ranchers, bicycling enthusiasts, Deschutes Valley Water District, Deschutes Basin Resource Committee, Oregon Trout, WaterWatch, The Oregon Rivers Council, Oregon Natural Desert Association, Oregon Natural Resource Council, Oregon Department of Fish and Wildlife, Oregon Division of State Lands, Oregon Department of Geology and Mineral Industries, and other motivated public participants.

Citizen Work Group - To help ensure that diverse viewpoints were considered during each step of the study, a citizen work group was created. The work group served as an integral part of the planning team, helping to identify issues, determine significance of river resources, develop and refine alternatives for designation and management, and keep their fellow interest group members informed about the planning process.

The work group was composed of 21 representatives (and their alternates) from a wide range of interests concerned about the future of the river: private landowners, ranchers, water right holders, commercial outfitters, anglers, Confederated Tribes of the Warm Springs Reservation, Oregon Department of Fish and Wildlife, Deschutes and Jefferson County, Central Oregon Irrigation District, Deschutes Valley Water District, Oregon Natural Desert Association, Central Oregon Flyfishers, Trout Unlimited, Oregon Trout, and Oregon Rivers Council and one representative from each of the joint managing agencies.

Lower Crooked River near river mile 16.4

The work group held its first meeting on June 14, 1991, and met monthly throughout the planning process. The work group became familiar with the Wild and Scenic Rivers Act and helped develop a list of issues, determine the significance of river resources, develop and refine management alternatives, and represented their constituents well. In all, the work group met 15 times in the last year - a tremendous commitment of time and energy on the part of the members.

Interested Parties - A list of about 50 people, agencies, and groups was compiled to make sure that other interests were kept informed of the planning process. Interested parties were mailed copies of draft planning documents, future announcements of work group or interdisciplinary team meetings, and two information flyers.

Information Flyers - Two wild and scenic information flyers (High Desert River News) were prepared and mailed to hundreds of local and regional residents, interest groups, and government agencies. The first, published in July 1991 during the issue identification process, let people know about the planning process and how they could get involved. The second, published in April, 1992 was designed to provide an update of the planning process and express the availability of final resource assessments and draft alternatives. Both information flyers also contained information on other rivers located in the central Oregon area.

F. Issue Summary

Seven key issues guided the development and evaluation of Middle Deschutes/Lower Crooked River management alternatives. These issues were established during the initial stages of work group participation and later during public scoping meetings. The seven key issues presented in this section were formulated by consolidating similar issues into like categories after ensuring that issues were within the legal authority of the managing agencies, that all issues had a variety of options, and that the issues had some kind of public controversy. The Management Plan as defined in Chapter 2 resolves these key issues.

Issue 1 How should recreation opportunities be managed?

Issue 2 How should private landowners and the local, state, and federal management agencies cooperate in visitor and resource management of the river corridors?

Issue 3 How should cultural, historical, and traditional use resources be managed?

Issue 4 How should aquatic and riparian resources be managed?

Issue 5 How should vegetation and wildlife habitat be managed within the corridors?

Issue 6 How should commercial resource uses be managed?

Issue 7 Where should the final Middle Deschutes/Lower Crooked Wild and Scenic River boundaries be located?

G. Alternative Summary

Five comprehensive alternatives for managing the Middle Deschutes and Lower Crooked River corridors were developed and analyzed in the Draft Middle Deschutes/Lower Crooked Wild and Scenic Rivers' Management Plan and Environmental Assessment in accordance with the Wild and Scenic Rivers Act of 1968, Federal Land Policy and Management Act of 1976, and the National Environmental Policy Act of 1969 (as amended).

Together as a whole, the alternatives represent a reasonable range that address issues identified during the planning process. The purpose of the alternatives was to present and evaluate various options for managing, protecting, and enhancing public resources within the river corridors. Themes (general goals) were developed for each of these alternatives and are described below.

Alternative Themes

Alternative 1 (No Action) Continue current management direction for federal lands within the both wild and scenic river corridors.

Alternative 2 This alternative would allow for maximum multiple use in the corridors with an emphasis on increasing recreation opportunities. A variety of different resource enhancement projects would take place to resolve resource problems. Coordination would occur to minimize effects on landowners and land use practices.

Alternative 3 Management would be much like Alternative 2, except management under this alternative would focus on increased resource protection and development of centralized use areas while providing for semi-primitive recreation opportunities. Resource enhancement projects would need to be natural in appearance.

Alternative 4 This alternative would increase the naturalness of the lands within the river corridors. The overall management goal would be not just to maintain, but to enhance river corridor values, and provide opportunities for primitive recreational use and development compatible with resource enhancement objectives.

Alternative 5 (Preferred) The goal of Alternative 5 is to maintain and/or enhance the current character of the river corridors while rehabilitating degrading resources and providing long-term protection and enhancement of their outstandingly remarkable values. Coordination would occur to minimize effects on landowners and land use practices.

H. Related Federal, State, and Local Planning and Management Responsibilities

The Wild and Scenic River Management Act requires that a comprehensive river management plan be prepared to provide for the protection of river values. Therefore, it is necessary to insure that all entities that play a role in management of the river are included in the planning process. A variety of federal, state, and local entities have responsibilities to manage resources within the river corridors. Some of these include but are not limited to: BLM, U.S. Forest Service, Oregon State Parks

Springs such as these add significantly to river water quality and quantity in both river corridors

and Recreation, Oregon Department of Fish and Wildlife, as well as, Deschutes and Jefferson County. A Memorandum of Understanding between BLM, U.S. Forest Service, and Oregon State Parks and Recreation Department facilitates ongoing coordination among managing agencies (see Appendix D). Special emphasis programs, such as wildfire control and fish and wildlife enhancement projects are routinely coordinated among agencies, landowners, and other affected publics. It is expected that these resource relationships be strengthened as a result of the management plan implementation.

Bureau of Land Management

In 1989, the BLM completed the Brothers/LaPine Resource Management Plan, which was a comprehensive land use or Resource Management Plan for most BLM lands and minerals in Deschutes and Jefferson County. The total BLM surface acreage at the time of RMP completion was over 1,111,100 acres, including all BLM lands within the Middle Deschutes/Lower Crooked River planning area. BLM manages more than 39 percent of the lands within the river corridors. The Resource Management Plan included an environmental impact statement which documented the environmental consequences of the plan as well as numerous intergovernmental relationships. The plan established land use goals and objectives for Bureau administered lands, minerals, soils and watershed, rangeland, forest and woodlands, fish and wildlife habitat, recreation, and cultural resources. It incorporated management direction for roads and access, utility and transportation corridors, fire control, noxious weed control, Areas of Critical Environmental Concern, and continued interim management of wilderness study areas. Copies of the approved Brothers/LaPine Resource Management Plan are available from the Bureau's Prineville District Office.

The BLM in cooperation with the U.S. Forest Service manages land within Steelhead Falls Wilderness Study Area (WSA). Segment 4 of the Middle Deschutes River corridor lies entirely within this WSA. There are specific interim management actions, in addition to interim wild and scenic river guidelines, that protect resources within its boundary. Possible designation of this area as wilderness will be recognized in the final Congressional land use decision.

The BLM, Bureau of Reclamation, U.S. Forest Service, Oregon Department of Fish and Wildlife, Soil Conservation Service, and other interested groups are working to improve aquatic habitat in the Deschutes and Crooked River watershed. Cooperative work is continuing between these and other agencies in implementing riparian improvement projects.

U.S. Forest Service (Crooked River National Grasslands)

In 1989, the U.S. Forest Service completed the Crooked River National Grasslands Land and Resource Management Plan. This comprehensive Land and Resource Management Plan guides natural resource management activities and establishes management standards and guidelines for the Crooked River National Grasslands which is located entirely in Jefferson County. The U.S. Forest Service manages 27.2 percent of lands within the river corridors as defined by this plan. The Resource Management Plan included an environmental impact statement which documented the environmental consequences of the plan as well as numerous intergovernmental relationships. It also describes resource management practices, levels of resource production and management, and availability and suitability of lands for resource management. This document is available at the U.S. Forest Service office in Prineville, Oregon.

National Grasslands are a permanent part of the National Forest System, administered under the provisions and purposes of the Bankhead-Jones Farm Tenant Act. The rules and regulations applicable to national forests as set forth in Title 36, Code of Federal Regulations, also apply to national grasslands. The Grassland Plan also embodies the provisions of the National Forest Management Act of 1976, the implementing regulations, and other guiding documents.

U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service administers the Endangered Species Act of 1973 (as amended). The BLM and U.S. Forest Service consult with this agency to develop a formal biological opinion on appropriate courses of action when it is determined that a threatened or endangered species, or its critical habitat, may be affected by a proposed management action. Resulting decisions could mean the proposed action be modified or abandoned.

Bureau of Reclamation

The Bureau of Reclamation (BOR) is actively involved in the Upper Deschutes Basin Water Conservation Study in cooperation with local water districts as well as other federal, state, and local agencies. The study's goal is to reduce loss of water withdrawals while supporting river-related resources on the Middle Deschutes and Lower Crooked Rivers and their tributaries. Projects such as canal lining, an instream flow study, and moving canal diversions may benefit river resources in the future.

Re-allocation of the uncommitted storage space in Prineville Reservoir has been an issue that the BOR has been studying for some time. As the project is now authorized and operated, all of the active capacity can be placed under contract for irrigation use as the demand arises. No reservoir space is specifically allocated for recreation or fish and wildlife uses. The authorized minimum flow in the Crooked River below Bowman Dam and beyond the North Unit Irrigation flume is 10 cubic feet per second (cfs). However, in order to benefit the downstream fishery, Reclamation has been releasing 75 cfs below the Dam whenever there is sufficient water in the reservoir.

Confederated Tribes of the Warm Springs Reservation

The entire Middle Deschutes/Lower Crooked River planning area is located outside the Warm Springs Reservation and was ceded to the U.S. Government by the Tribes and Bands of the Middle Oregon through ratified treaty. The treaty reserves to the Indians rights and privileges expressed in the Treaty. The interests of contemporary Native Americans include the protection of Indian burial grounds and other sacred sites and the perpetuation of certain traditional activities, specifically root gathering and fishing.

The Confederated Tribes of the Warm Springs are consulted by Federal, State, and local governments as required by the Archaeological Resources Protection Act (1979) and as recommended by the Historic Preservation Act (1966). The managing agencies also contact and consult with the appropriate Tribal representatives and Bureau of Indian Affairs on projects or activity planning on BLM, U.S. Forest Service, or State administered lands that may affect Tribal interests, treaty rights, or traditional use areas within ceded lands.

Oregon State Parks and Recreation

The Oregon State Parks and Recreation Department is responsible for the acquisition, improvement, maintenance, and operation of Oregon's state park system. State Parks is also responsible for giving technical assistance to local government agencies on park matters, develops and maintains the Statewide Comprehensive Outdoor Recreation Plan (SCORP), and administers the Federal Land and Water Conservation Fund matching grant program in Oregon.

The Oregon State Parks and Recreation Department also administers the Scenic Waterway Program. The program includes the review of new land use and land management practices, and the right for the Department to make application for instream water rights for recreation purposes in State Scenic Waterways.

The Scenic Waterway Act and the Oregon State Parks and Recreation Commission's rules require the evaluation of proposed land use changes within 1/4 mile from each side of the river. Any land use changes and development proposals must be evaluated for their potential impacts on aesthetic and scenic values, as viewed from the river. Property owners wanting to build roads or houses, develop mines, harvest timber or begin other similar projects must provide written notification to the Oregon State Parks and Recreation Department before beginning the project. The Department's evaluation of the project will be coordinated with the local jurisdiction and with other natural resource agencies, both federal and state, that have regulatory responsibilities. Using its river classifications and land management rules, the State Parks and Recreation Department will determine if the proposed project or development is compatible or incompatible with the scenic waterway. The landowner may not begin the project until written approval has been given by the Department. The Department and/or the Commission will work with the landowner to reach a mutually satisfactory resolution of any conflicts. When a resolution cannot be reached within one year of the original notification, the Commission must either pay the property owner for the land or the development rights, or allow the project to go ahead.

The Oregon State Parks and Recreation Department works closely with Federal agencies such as the BLM and U.S. Forest Service to assure their actions are compatible with scenic waterway laws, rules, and resource management recommendations. In addition to working with Federal agencies, the State Parks Department works closely with County planning staff and other State agencies to insure development on private lands is compatible with the river environment.

Oregon Department or Fish and Wildlife

The Oregon Department of Fish and Wildlife (ODFW) is responsible for the management and wise use of the State's fish and wildlife resources. The Department is charged with maintaining optimum numbers of indigenous fish and wildlife, and to ensure that no species are threatened with extinction. The Department is responsible for developing and administering fish and wildlife regulations. The ODFW, BLM, U.S. Forest Service, and other interested groups work cooperatively in riparian habitat enhancement projects, fish and wildlife enhancement projects, and Deschutes and Crooked River basin planning efforts. ODFW routinely monitors the Middle Deschutes and Lower Crooked River angling effort and harvest, as well as hunter effort and harvest.

Oregon Water Resource Department

The Oregon Water Resource Department (WRD) is responsible for management and allocation of the State's water resources. The Water Resource Commission typically develops policy through the preparation of basin plans for each of Oregon's 18 river basins. Through basin plans, the WRD classifies streamflow for certain purposes, such as domestic use, industry, municipal, recreation, or irrigation. The plans are adopted as administrative rules which reflect how water is currently used, and how its future use will be allocated. Three State departments may apply for these instream rights: Parks and Recreation, Fish and Wildlife, and Environmental Quality. Once granted, the instream water right is held by WRD in trust for the people of Oregon.

Division of State Lands

The Division of State Lands (DSL) is responsible for the management of the beds and banks of navigable waterbodies. DSL regulates all alterations of the beds and banks within State Scenic Waterways as well as removal, fill, or alteration of 50 cubic yards or more of material in all other waterways (including lakes and wetlands) within the State. The DSL is also responsible for managing certain lands for their maximum benefit to the common school fund, consistent with best conservation practices. Refer to Chapter 2 for more navigability information.

Department of Environmental Quality

The Department of Environmental Quality (DEQ) is responsible for the implementation of the Statewide Water Quality Management Plan, which establishes standards of water quality for each of WRD's 18 basins in Oregon. Beneficial uses of rivers and streams that are to be protected by DEQ are: public, private, and industrial water supplies, irrigation, livestock watering, anadromous fish passage, salmonid rearing and spawning, resident fish and aquatic life, wildlife and hunting, fishing, boating, and aesthetic quality. Dissolved oxygen is to be kept to the highest possible levels. Temperature, bacteria, dissolved chemical substances, and toxic material are to be maintained at the lowest possible levels. The DEQ anti-degradation policy states that high quality waters are to be protected from degradation unless the Environmental Quality Commission finds it necessary to make an exception based on economic or social needs. DEQ also maintains water quality monitoring stations throughout Oregon.

State Marine Board

The State Marine Board registers motorized watercraft, establishes equipment and operating requirements for the safety of the environment, regulates the use of boats on Oregon waters, and provides training for county sheriffs and state police who patrol the waters. State Marine Board regulations prohibit motorized craft on the Middle Deschutes River upriver from the Deschutes Arm of Lake Billy Chinook to Mirror Pond in Bend. This action and others are in accordance with Oregon Administrative Rules - Marine Board 250-20-091 and 250-20-161.

Oregon State Police

The Department of State Police was created to serve as a rural patrol and to assist local law enforcement agencies. This agency is empowered to enforce all Oregon statutes without limitation by county or other political subdivision. State Police activities are coordinated with local and Federal law enforcement agencies and assisted by the general public. For example, the TIP Program (Turn in Poachers) has been established in cooperation with the Oregon Department of Fish and Wildlife and the Oregon Hunter's Association. This program is designed to involve citizens in reporting wildlife law violations.

County Comprehensive Plans

The Omnibus Oregon Wild and Scenic Rivers Act of 1988, the Federal Land Policy and Management Act of 1976, and the National Environmental Policy Act of 1969 (as amended) all encourage or mandate intergovernmental coordination, consultation and, where possible, plan consistency. Since the Wild and Scenic Rivers Act envisioned a high reliance on local comprehensive plans to achieve the objectives of the Act, a review and analysis of the adequacy of the existing plans for Deschutes County was critical.

The comprehensive plans for Deschutes and Jefferson Counties have been acknowledged by the Oregon Land Conservation and Development Commission and are in conformance with statewide planning goals and objectives. Under Section 202 of the Federal Land Policy and Management Act all BLM and U.S. Forest Service plans, including Resource management Plans and site specific activity plans (such as the Middle Deschutes/Lower Crooked Wild and Scenic Rivers' Management Plan), must be consistent, insofar as possible, with officially approved or adopted State and local agencies' resource related plans, policies and programs. Similarly, State-managed land must conform to statewide planning goals and objectives and support local comprehensive plans.

Deschutes County

The Deschutes County Comprehensive Plan was acknowledged by the Land Conservation and Development Commission (LCDC) in 1979. The required periodic review and amendment process is currently underway and is expected to be completed by December 1992. The BLM, U.S. Forest Service, and State Parks and Recreation Department are coordinating efforts with Deschutes County to ensure consistency between planning efforts. Expected amendments or revisions may include changes in policy statements which have been superseded by Federal or State law.

The existing county plan includes lands 1/4 mile from the ordinary high water mark within the Middle Deschutes river corridor as a landscape management zone. Private lands upon the plateaus are zoned rural/residential. The plan's intent is to not allow actions which might permanently destroy natural value(s). There is also a "sensitive wildlife habitats overlay" with accompanying supplementary development standards to protect riparian corridors and fisheries habitat. The plan prescribes notification and coordination with state, and federal agencies when considering actions within the State Scenic Waterway. Visual resource protection considerations may restrict mineral development and sitting of structures. The plan goes on to promote protection of many other resources that contribute to the uniqueness of the river corridor.

Deschutes County Emergency Services Plan coordinates available equipment and personnel resources for a wide variety of potential situations. This include search and rescue, hazardous material spills, and occasional enforcement of state and local laws on public lands within the Middle Deschutes river corridor through written law enforcement agreements with the BLM and the U.S. Forest Service.

In summary, the current Deschutes County plan provides a high degree of protection for river-related resource values. It supports long-term preservation of the Middle Deschutes river corridor.

Jefferson County

The Jefferson County Comprehensive plan was acknowledged by the LCDC to be consistent with Statewide planning goals in 1981. The required periodic review and amendment process is currently underway and is expected to be completed by December 1992. The BLM, U.S. Forest Service, and State Parks and Recreation Department are coordinating efforts with Jefferson County to ensure consistency between planning efforts. The amended plan will note federal designation and continue to provide adequate protection of State Scenic Waterway resources on segment 4 of the Middle Deschutes and river-related resources on the Lower Crooked River. Protective measures include setbacks, without variances, for new construction on floodplains or near riparian areas and for homesites on the river rims. It is expected that structures near the rims will have mandatory setbacks of 100 feet in the future, compared to the current 35 foot setback, due to natural hazards from seismic events.

Jefferson County also provides enforcement of state and local laws on public lands within the Middle Deschutes and Lower Crooked River corridors through written law enforcement agreements with the BLM and the U.S. Forest Service.

In summary, the current Jefferson County plan provides a high degree of protection for river-related resource values. It is non-specific to river planning related public safety and service issues or potential solutions.

II. Management Plan

A. Introduction

The Wild and Scenic Rivers Act requires that a comprehensive River Management Plan be prepared to provide for the protection of river values. The act requires that the plan address resource protection, development of lands and facilities, user capacities, and other management practices as needed. The Act directs that the River Management Plan shall be coordinated with and may be incorporated into resource management planning for affected adjacent Federal lands.

The Middle Deschutes/Lower Crooked Rivers' Management Plan will serve as a subordinate site-specific activity plan which compliments and implements portions of the Brothers/LaPine Resource Management Plan and the Crooked River National Grasslands Land and Resource Management Plan (RMP). These RMP's provide direction for all resource management programs, practices, uses, and protection measures on lands managed by the Bureau of Land Management and the Crooked River National Grasslands in the general vicinity of the river corridors.

It has been determined that no significant impact would result from implementation of management actions as defined in this plan. Site-specific project implementation will require further NEPA analysis to insure protection of natural resources, including cultural resource surveys and threatened, sensitive, and endangered plant and animal surveys.

B. Outstandingly Remarkable Values and Special Attributes

Congress determined scenic, recreational, cultural, geologic, wilderness, hydrologic, fish and wildlife, as well as historic and botanical resource values within the Middle Deschutes River corridor to be outstandingly remarkable. Congress also determined that scenic and recreation resource values within the Lower Crooked River corridor are outstandingly remarkable. On both rivers, these and other resource values were studied in greater detail by comparing them to similar features on other rivers in the region. A set of criteria were developed by a task force comprised of officials from BLM, U.S. Forest Service, and the State of Oregon to use in making the comparisons. The region selected for comparative analysis was the central Oregon area. This included both the Deschutes River Basin and the John Day River Basin.

Except for wilderness resources on the Middle Deschutes River, the analysis confirmed the Congressional Record relating to outstandingly remarkable values within each river corridor. Analysis also determined geologic, hydrologic, wildlife, botanical, and cultural resources to be outstandingly remarkable on the Lower Crooked River segment. The Oregon State Parks and Recreation Department, through its own resource analysis, concurred with the federal analysis in determining that the outstandingly remarkable values were also found to be special attributes on the State Scenic Waterway segments of the Middle Deschutes River. Outstandingly remarkable and significant river values for which the river was added to the national system are summarized below and in Table 2. A detailed analysis of river-related resources can be found in the Draft Middle

Deschutes/Lower Crooked Wild and Scenic Rivers' Management Plan and Environmental Assessment as well as the final resource assessment. These documents can be obtained by contacting the BLM Prineville District Office or the Ochoco National Forest Supervisors Office in Prineville, Oregon.

Scenic

Scenic quality within the Middle Deschutes and Lower Crooked River corridors is distinctively outstandingly remarkable due to the rugged natural character of the canyons, outstanding scenic vistas, limited visual intrusions, high scenic quality, and scenic diversity resulting from a variety of geologic formations, vegetation communities, and dynamic river characteristics. These canyons truly represent the spectacular natural beauty created by various forces of nature.

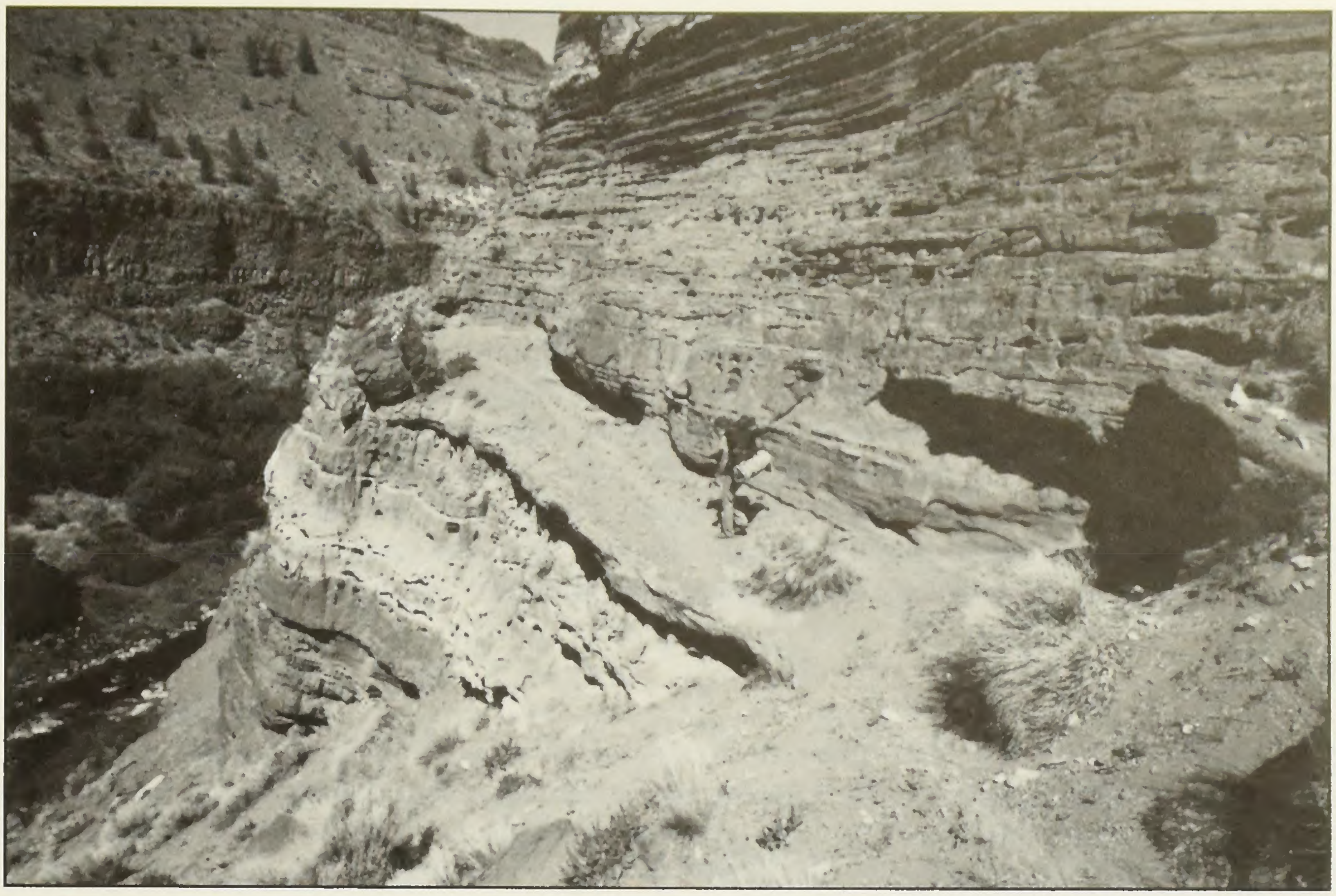
Recreation

Although relatively inaccessible in many areas, these river corridors offer a diversity of year-round semi-primitive recreation opportunities such as fishing, hiking, backpacking, camping, wildlife and nature observation, expert kayaking and rafting, picnicking, swimming, hunting, and photography. Many resources within the corridors are unique to the region and have high educational values. Therefore, interpretive opportunities are exceptional and have the potential to attract visitors from

Table 2 - Outstandingly Remarkable Value Comparison Chart

Resource Value	Congressional	Segment 3	Segment 4	Lower Crooked
Scenic	ORV	S	ORV	ORV
Recreation	ORV	ORV	ORV	ORV
Geology	ORV	S	ORV	ORV
Hydrology	ORV	S	ORV	ORV
Fishery	ORV	S	ORV	S
Wildlife	ORV	ORV	ORV	ORV
Cultural*	ORV	ORV	ORV	S
Botanical**	ORV	ORV	ORV	ORV
Wilderness	ORV	Not a Wild and Scenic Resource Value		

ORV - Outstandingly Remarkable Value
S - Significant Value
* Prehistoric/Historical/Traditional
** Botanical/Ecological



Game trails along the Middle Deschutes are followed with little difficulty and provide adequate access for hiking and backpacking

outside the geographical area. Based on regional and national significance, recreation opportunities available within the river corridors are outstandingly remarkable.

Geology

The geologic history of the past 50 million years is dramatically displayed on the canyon walls of the Middle Deschutes and Lower Crooked Rivers. A number of volcanic eruptions occurred over thousands of years to create a large basin comprised of a variety of colorful layered basalt, ash, and sedimentary formations. The Deschutes and Crooked Rivers dissect this basin providing a unique study area for geologic interpretation and, more importantly, support scenic values. The most significant contributor to the outstandingly remarkable geologic resource are the unique intracanyon basalt formations created by recurring volcanic and hydrologic activities. Segment 4 of the Middle Deschutes and the Lower Crooked River canyon provide the best known examples of intracanyon basalt flows in Oregon.

Hydrology

Hydrologic resources on portions of the Middle Deschutes and the Lower Crooked River meet the criteria to be outstandingly remarkable. The increase of water from springs and stability of flows along with the steep basalt canyons in both river corridors has created a stream habitat and riparian zone that is extremely stable and diverse. This combination of an excellent riparian zone and stable stream flows is unique in a dry semi-arid climate environment. Features such as Odin, Big and Steelhead Falls; springs and seeps; white water rapids; water sculpted rocks; and the river canyons themselves are very prominent and represent excellent examples of hydrologic activity within central Oregon.

Fishery

In segment 4 of the Middle Deschutes River, the quality and importance of the fisheries habitat and its resulting diversity of resident and remnant anadromous species qualifies this resource to be considered an outstandingly remarkable value. A recent BLM survey identified fishing as the number one recreation activity within both river corridors. Stories and pictures of huge catches are found in historical records of the early 1900's. Based upon the potential through long-term restoration of fish habitat and populations, the fishery in Segment 3 and in the Lower Crooked River may later be determined to be outstandingly remarkable.

Wildlife

A wide variety of wildlife species, critical mule deer winter range habitat and nesting/hunting habitat for the bald eagle, golden eagle, osprey, and other raptors classifies wildlife resources in

Cultural resources are abundant in both river corridors both river corridors as outstandingly remarkable. The bald eagle is known to winter along the Deschutes River downriver from Lower Bridge and also within the Lower Crooked River segment. Outstandingly habitat areas include high vertical cliffs, wide talus slopes, numerous caves, pristine riparian zones, and extensive grass/sage covered slopes and plateaus.

Cultural

Cultural resources are notably outstandingly remarkable on the Middle Deschutes River based on the combination of prehistoric and historic sites found along the corridor and the traditional uses associated with the area. Evidence that rare and/or special activities took place in the river canyon areas is represented by lithic scatters or flaking stations, shell middens, rockshelters, rock features, and rock art. These sites have the potential to contribute to the understanding and interpretation of the prehistory of the Deschutes River and the region and are considered to eligible for inclusion in the National Register of Historic Places. Cultural resources on the Lower Crooked River may later be determined to be outstandingly remarkable after further comprehensive cultural resource studies.

Botanical

Botanical resources within all river segments are determined to be outstandingly remarkable values. The Middle Deschutes River segments are in an ecological condition unusual for similar areas within the region and contain a significant portion of Estes' Wormwood (Artemisia Ludoviciana ssp. estesii). This species is classified as a Category 2 Candidate for listing as endangered/threatened by the Federal government and is classified as threatened/endangered throughout its range (List 1) by the Oregon Natural Heritage Data Base. The Lower Crooked River segment possesses a unique stand of mature white alder/red-osier dogwood in an area that is in near-pristine condition and is also suspected to contain of Estes' Wormwood.

C. Management Goals and Segment Objectives

Management Goals

The overall goal of the management plan of the river area is to meet the intent of the Wild and Scenic Rivers Act by maintaining the current character of the river area, and providing long-term protection and enhancement of its outstandingly remarkable values.

Four additional goals were developed as a result of public involvement. They include:

1. Maintain the economic viability of resource uses consistent with protection and enhancement of outstanding and significant resource values.

2. Protect and enhance instream and land-based biological, cultural and physical resources.

3. Provide for appropriate recreational use and appropriate public access while maintaining the wild and scenic nature of the river.

4. Foster cooperation among landowners, managing agencies, and the public to manage and enhance the outstandingly remarkable river values.

Segment Objectives

Segment 1 - Manage as a "River Community Area" between Sawyer Park and the Urban Growth Boundary of Bend. Manage as a "Recreation River Area" between the Urban Growth Boundary and Tumalo State Park.

Segment 2 - Manage as a "Scenic River Area" between Deschutes Market Road and Odin Falls.

Segment 3 - Manage as a "Scenic River Area" between Odin Falls and Lower Bridge with emphasis of semi-primitive motorized experiences. Manage as "Scenic River Area" between Lower Bridge and the southernmost boundary of the Wilderness Study Area (WSA) with emphasis of semi-primitive non-motorized experiences.

Segment 4 - Manage as a "Natural River Area" between the southernmost boundary of the WSA and Lake Billy Chinook with emphasis of semi-primitive non-motorized experiences, except river miles 129.9 to 131.5 and 124.3 to 125.25 where the east side subdivisions will be managed as "River Community Areas". Special areas of access will occur at Geneva Overlook and Steelhead Falls.

Lower Crooked Segment - Manage as a "Natural River Area" along the entire corridor with emphasis of semi-primitive non-motorized experiences between rims and roaded natural experiences on top of the rim plateaus. Recommend as State Scenic Waterway.

D. Desired Future Conditions

Desired future conditions present a vision of the desired future state of a specific area. The desired future conditions that follow were developed for the Middle Deschutes/Lower Crooked River corridors after public scoping by work group and interdisciplinary team members. They help provide a focus for ongoing management.

Scenic - A combination of appropriately screened developments, varied plant communities, seasonal river and spring flows supporting an abundance of wildlife, and varied depths of undisturbed canyon walls leave these corridors in relatively pristine condition.

Recreation - The river corridors are managed for a variety of semi-primitive recreation opportunities with developed recreation opportunities available in specific areas. Access is maintained to facilitate recreation opportunities while protecting resource values.

Geology/Minerals - Geologic formations that support scenic river values are protected. Mineral extraction continues to be in compliance with State and County ordinance.

One of many scenic vistas within the river corridors

Prehistoric, Historic, and Traditional - The river corridors have been surveyed for cultural resources. Preservation through protection, enhancement and interpretation of cultural sites, and recognized traditional use locations continue to be managed for their values and religious importance.

Hydrologic - Water quality and quantity maximize other resource values, exceed Federal and State standards and continue to fulfill agricultural and domestic need. Unique hydrologic features that support scenic river values are protected and enhanced.

Fishery - Seasonal flows support quality habitat for fish and aquatic organisms. The habitat is in optimum condition for natural diverse fish production.

Wildlife - Native wildlife populations are healthy and abundant. The habitat is in optimum condition for natural diverse wildlife production.

Botanical/Ecological - Native upland and riparian vegetation communities are in outstanding condition lending to significant biological diversity within the corridor.

E. Management Actions (Standards and Guidelines)

Management actions (Standards and Guidelines) for the Middle Deschutes/Lower Crooked Wild and Scenic Rivers' are derived from Alternative 5 (Preferred) and Management Actions Common to all Alternatives as defined in the Draft Management Plan and Environmental Assessment. Management actions and Standards and Guidelines are synonymous in the context of this document. They apply to all BLM managed public lands within the river corridors as well as Crooked River National Grasslands Management Areas MA-G6 (Crooked River Recreation Area) and MA-G7 (Deschutes River Scenic Corridor). The monitoring section in Chapter 4 conveys the bounds and constraints for the management activities of each resource.

The management actions are designed to resolve major issues and attain the desired future conditions. More specifically, they focus on maintaining and/or enhancing the current character of the river corridors while rehabilitating degrading resources and providing long-term protection and enhancement of their outstandingly remarkable values. All actions are in conformance with the Wild and Scenic Rivers Act, Brothers/LaPine Resource Management Plan, and the Crooked River National Grasslands Land and Resource Management Plan.

Horse and dog packing on public lands near Squaw Creek

Recreation

Semi-primitive non-motorized recreation opportunities will be emphasized on public lands between the canyon rims and semi-primitive motorized recreation opportunities will be emphasized upon the plateaus.

Implement a fire closure between June 1 and October 15 on all public lands within both river corridors. If determined necessary, the fire closure could be extended based on fireweather conditions at that time. During the open campfire season, metal fire pans will be encouraged where fire grates are not available. Collection of dead and down firewood for on-site campfires will be allowed during open fire season. Collection of personal use firewood will not be allowed.

Limit discharge of firearms and hunting to official state waterfowl, big game, and upland game seasons. BLM and the National Grasslands will establish a supplementary rule (43 CFR, part 8360) to prohibit discharge of firearms on public lands within the wild and scenic river boundaries except during these open hunting seasons. ODFW as well as Deschutes and Jefferson counties will be encouraged to implement a similar rule and coordinate enforcement. Federal and State firearm use rules will remain in affect during these open seasons.

The Steelhead Falls Trail trailhead and camping area will remain semi-primitive, with information signs and trash cans unless resource degradation dictates a need for sanitation facilities or other basic site protection measures. Scout Camp will also receive this same resource protection if determined necessary. Trailheads with information signs will be developed at all proposed developed trails. Semi-primitive trailheads for casual use trails will be maintained at Lower Bridge and Geneva Point.

The managing agencies will pursue a cooperative management agreement with Crooked River Ranch to help manage and maintain the existing, privately owned scenic overlooks along the Lower Crooked River.

Recreation projects and facility development will be analyzed to ensure protection of outstandingly remarkable values and private lands.

The managing agencies will develop a cooperative system for gathering and analyzing camping and day use data to maintain accurate monitoring information to ensure that management objectives are met.

The managing agencies will conduct visitor use, angler preference, and statistical creel surveys to analyze user need and necessary changes in fishing regulations. Hunting and trapping regulations will continue to be evaluated by the ODF&W for appropriate regulations.

Horse, llama, and mountain bike use will continue to be allowed in accessible areas throughout the two corridors unless monitoring determines these types of activities are inappropriate or are adversely impacting outstandingly remarkable values.

The managing agencies will not encourage dispersed recreation use during the time antelope or mule deer are concentrated in the corridors within the Metolius Deer Winter Range.

Identify high impact recreation opportunities and create special use areas and/or restrictions for them. Recreation opportunities will be limited to specific geographic areas or excluded if resource monitoring determined that recreation use has a significant, adverse impact on outstandingly remarkable values.

All new development will consider barrier free access. Special use facilities for any disability will be installed as determined necessary.

Operations and maintenance of campground facilities will continue at whatever level necessary to meet federal standards consistent with level of use, development, and maintenance standards.

Limits of Acceptable Change criteria will be utilized to evaluate necessary management actions for overnight campsites, day use areas, and trails. Degraded campsites, day use areas, or trails needing rehabilitation will be closed until sufficient recovery has occurred. Once rehabilitation is complete, use of these areas may be allowed if they are capable of sustaining use and that use is consistent with management objectives.

Commercial use within Segments 3, 4, and the Lower Crooked River Segment will remain as currently managed by the BLM and USFS under existing regulations. Special land use and concessions requests will require a special land use permit. Commercial guides and outfitters will be required to obtain a Special Recreation Use Permit. Commercial recreation use will be limited if found necessary to protect and enhance outstandingly remarkable values.

Segment 4 of the Middle Deschutes River is located entirely in the Deschutes Canyon/Steelhead Falls Wilderness Study Area (WSA). This area was jointly studied by the BLM and USFS (National Grasslands) to inventory wilderness values and determine wilderness suitability. The study determined that the area will be managed for uses other than wilderness. This area shall be managed to protect existing natural values until Congress makes the final determination regarding wilderness suitability. If Congress designates this area as wilderness, a wilderness management plan will be developed and only those management actions in this plan that are consistent with wilderness management policy will occur. If Congress does not designate this area as wilderness, then the management actions, visitor use activities, and trail/facility/access proposals identified in the preferred alternative will occur.

Public and Administrative Access

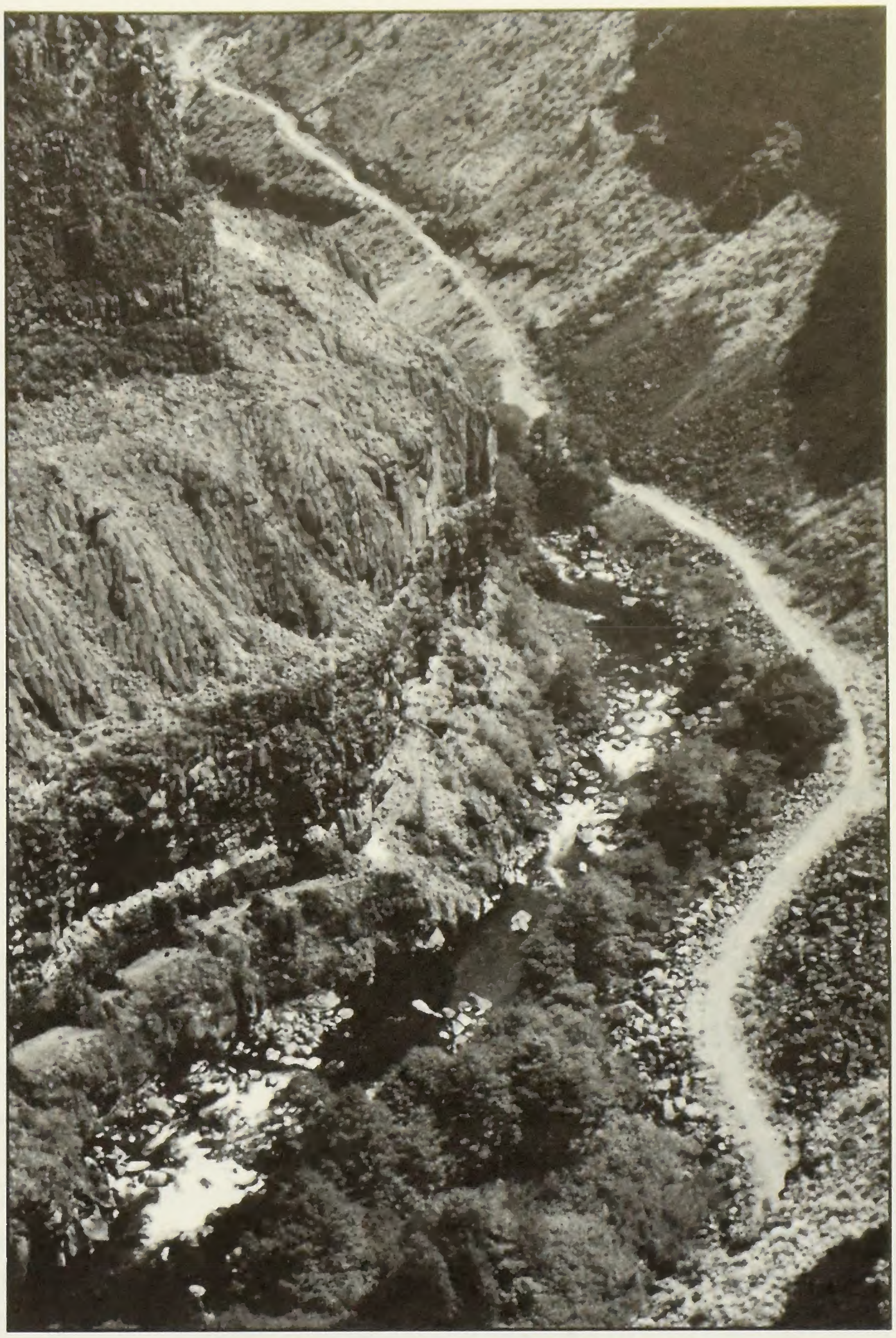
Public access over private lands may occur through easement, acquisition, or other cooperative efforts with willing landowners.

Public access may be limited to existing roads and trails or restricted or closed in specific locations if resource monitoring determined that significant impacts to outstandingly remarkable values occurred and stabilization efforts are ineffective. Rehabilitation efforts will occur on access routes that are closed to public access. Inventoried public access routes experiencing major degradation will be stabilized.

The Steelhead Falls Wilderness Study Area limits vehicle access to existing vehicle routes. If the area is designated as Wilderness, motorized access will be limited to adjacent roads outside its boundary. Parking and trailhead areas will be developed outside of the Wilderness area in high use access points.

All physically accessible areas on federal lands within the corridors will be open for administrative access.

Access to whitewater floating will remain primitive and undefined unless activity and resource monitoring determined that significant impacts to outstandingly remarkable values exists.



Hollywood Road at river mile 12.5 parrallels the Lower Crooked River providing easy fishing and hiking access

Motorized vehicle access will be limited to approximately 8.5 miles of designated vehicle routes on public lands throughout the year in Segments 3, 4, and within the Lower Crooked River Segment. Motorized access upon 2.8 miles of National Grassland roads will remain subject to seasonal closures. Approximately 9 miles of primary access routes on public and private lands within these segments will be graveled or maintained regularly. Other access routes experiencing resource degradation will be stabilized through occasional maintenance. New motorized public access to parcels of public land could be provided through easements, acquisition, and/or other cooperative efforts with willing landowners if found necessary to protect and enhance river related resource values. Scout Camp and Steelhead Falls campground areas will have only one access road. Refer to Map 2 for road locations.

The Geneva Point Trail, and other informal network trails will remain primarily user developed. Unnecessary trail networking will be re-routed and rehabilitated.

The 0.5 mile Steelhead Falls Trail will be stabilized using natural appearing stabilization methods to protect from further resource degradation. The existing .75 mile CCC Trail will be reconstructed. Scout Camp, Squaw Creek and Hollywood Trails, totalling 4.75 miles, will be designed and developed to encourage trail use. These trails will be developed only if easements, acquisitions, and/or agreements from willing landowners are obtained for non-motorized public access. Land along these trails will be in approximately 70 percent public and 30 percent private ownership. Refer to Map 2 for trail locations.

Cooperation Between Managing Agencies and Private Landowners

Private land use and zoning regulations will be developed and managed by county and state managing agencies. Activities on private lands that influence scenic quality will continue to be regulated by county and State Scenic Waterway regulations. Some of these include building setbacks from the canyon rim and restrictions on building in wetland and riparian areas. Special land use permits will be evaluated on a case-by-case basis to ensure protection of outstandingly remarkable values. BLM and the National Grasslands will continue to work cooperatively with private landowners and local, county, and state agencies also responsible for protecting the scenic quality of both river corridors.

Scenic easements, acquisition, and land exchanges could occur to enhance management and protection of outstandingly remarkable values if consistent with this management plan and agreeable with private landowners. The managing agencies will coordinate with county and state agencies to provide landowner incentives to protect and enhance scenic quality on private land. A periodic river clean-up effort will also be coordinated between local, state and federal agencies, and adjacent landowners to maintain the existing scenic quality of these river canyons and promote minimum impact use of these environments.

A landowner incentive booklet will be developed by the cooperating management agencies to encourage appropriate use of river related resources.

A public/private landowner stewardship group will be formed along with public land user representatives to help implement this river management plan and monitor the effectiveness of management actions to protect and enhance the resource values and resolve conflicts associated with public and private uses of these river canyon areas.

Except for small isolated blocks of public lands surrounded by privately owned land, BLM and the National Grasslands will retain lands within the river corridor boundaries in public ownership. The managing agencies could acquire private inholdings within the corridors that help protect river related resources.

The managing agencies will contact private landowners for permission prior to accessing private lands.

Public land access will be managed to discourage unauthorized access to private lands.

The managing agencies will implement user education tools such as brochures and information signs on public land to help reduce trespass. Wild and scenic river boundaries will be surveyed and posted in heavy conflict areas focusing on convergence of private and public lands. Managing agencies will assist private landowners by identifying and signing heavy use areas on public lands adjacent to private land. Private landowners will remain responsible for contacting the local authorities if trespass occurs.

The BLM and National Grasslands will continue to support Jefferson and Deschutes counties, State Parks, and private landowners in efforts to protect river values on private property through zoning and land use regulations (refer to Appendix E and Chapter 3). The BLM and National Grasslands will grant no special use rights-of-way that have a direct and adverse effect on river values. All public land use permits will be evaluated on case-by-case basis to ensure protection of outstandingly remarkable values. Acquisitions, easements, or cooperative agreements could occur as a means to resolve land use conflicts.

The managing agencies will provide technical assistance to private landowners in planning prescribed burns to reduce fire hazard. Coordination with county fire permit information centers will occur to provide consistency between public land fire closures and burning on private lands.

Aquatic and Riparian Resources

The Middle Deschutes and Lower Crooked Wild and Scenic Rivers will be preserved in their existing free-flowing condition without impoundment, diversion, straightening, rip-rapping, or other modifications of the river that adversely affect the outstandingly remarkable values for which they were designated. Water diversions or impoundments upstream that may adversely impact existing free-flowing conditions will require an analysis utilizing requirements as defined in Section 7 of the Wild and Scenic Rivers Act 1969 (as amended) before project implementation.

An instream flow study will be conducted to determine biologically appropriate flows that protect outstandingly remarkable values within the river segments. The managing agencies will recommend appropriate minimum instream flows necessary for protecting outstandingly remarkable values within the Middle Deschutes and Lower Crooked River corridors after analyzing State review of water appropriations, the Deschutes Basin Investigation Report, Instream Flow study results, and other appropriate flow information. The analysis will be coordinated with managing agencies collecting similar data for river segments up and downstream from the rivers covered by this plan.

The managing agencies will monitor and participate in issues which have the capacity to impact flows associated with the outstandingly remarkable values by analyzing impacts of proposed actions and if necessary, seeking opportunities to accept transfer, receive donations or purchase water rights that adversely affect these values. The managing agencies will also conduct a cooperative water resource analysis to determine available water quantities and future needs for domestic, agricultural, and commercial water users.

The managing agencies, in cooperation with ODF&W and other interested groups, will coordinate inventory, management plan implementation, funding and monitoring for instream and riparian resources along the river corridors to ensure that management objectives are met.

The managing agencies will actively manage the river corridor to maintain non-impairment of water quality. Water quality will continue to be monitored and the non-degradation policy will continue to be enforced by the State Department of Environmental Quality (DEQ). Federal agencies will assist in water quality monitoring and coordinate with DEQ to share water quality data, upgrading water quality, and water quality monitoring techniques to ensure that water quality meet or exceed water quality standards.

The managing agencies will actively maintain riparian vegetation communities in proper functioning ecological condition while allowing only those projects that promote biological diversity. Desirable vegetative communities include: alder, red-osier dogwood, willows, and a variety of understory species such as chokecherry, rush, and various grasses. The specific composition and presence of each community will be dictated by specific site characteristics. Riparian vegetation will also be managed to provide cover for upland game birds and other animals dependent upon the riparian area. Riparian projects will be analyzed on a project by project basis to rehabilitate severe riverbank erosion.

Abandoned fish ladder at Big Falls, constructed in the 1920's by Oregon State Fish & Game Commission to enhance the native fishery of the Upper Deschutes

Use of chemicals in riparian areas for noxious weed control will be prohibited.

Federal and State agencies will conduct detailed inventories for protection of federal and state listed threatened, endangered and/or sensitive plant/animal species. The managing agencies will continue to monitor habitats for federal threatened and endangered and state sensitive listed plant and animal species.

BLM and the National Grasslands will cooperate with ODF&W in fish management while focusing on resident fish habitat protection projects and long-term basin planning. No new fish habitat structures or modifications be allowed within the high water channel unless they enhance river related resources and comply with free-flow standards. Fish passage will be provided in areas where passage has been determined to be suitable to protect and enhance outstandingly remarkable values. Spawning habitat will be improved in both river corridors. Removal of woody debris will not be allowed. Both rivers will be managed to enhance native fish communities. Future proposals that introduce hatchery fish above, below, or directly into either river corridor will be evaluated under requirements as defined in Section 7 of the Wild and Scenic Rivers Act 1969 (as amended).

Natural bank stabilization methods such as planting native riparian vegetation will be required in most circumstances. Introduction of non-native plant species could be allowed if determined that there would be no adverse impacts to other resources. Mechanical means of vegetation management will be required in most circumstances (i.e. hand grubbing of noxious weeds). Except for developed trails, facilities will not be developed in riparian areas.

Livestock grazing on all public lands within the upland canyon (between the canyon's highest rims) and riparian areas will no longer be allowed. New livestock fencing will be constructed as described in the Scenic and Upland Resources section below.

Scenic and Upland Resources

The managing agencies will maintain vegetative diversity while focusing on ecological conditions between mid and late seral status and allowing only those projects that promote biological diversity. Early seral conditions will be provided as necessary to provide habitat for animal species dependent upon this ecological status. Desirable vegetative communities include: western juniper, sagebrush, bitterbrush, rabbitbrush, bunchgrasses, Sandberg bluegrass, mock orange, Douglas' spiraea, balsamroot, snowberry, penstemon, isolated areas of Estes' wormwood, and a variety of other species. The specific composition and presence of each community will be dictated by specific site characteristics. Deer winter range and other big game areas within the river corridors will generally be managed to attain a 40/60 cover/forage ratio. The maximum distance from cover to any point in forage area will not exceed 1,200 feet. Thermal cover units will generally be a minimum of 5 acres each and evenly distributed on BLM managed public lands and 20 acres and larger on National Grasslands.

Prescribed burning and conditional fire suppression could be used to allow the upland slopes to return to a natural fire-dependent watershed ecosystem. Fires which would not threaten or damage private property or other primary values of the corridor may be allowed to burn. Wildfire suppression will occur at whatever level necessary to protect public facilities with minimum mechanical disturbance.

Coordination will occur with appropriate agencies and private individuals to ensure the watershed remains in proper functioning condition.

The managing agencies in cooperation with ODF&W, U.S. Fish and Wildlife Service and other interested groups will conduct inventories for protection of federal and state listed threatened, endangered, and sensitive plant and animal species. The managing agencies will continue to monitor habitats for federal, state listed T & E plant and animal species. Facilitate for species richness and diversity.

The managing agencies in consultation with the U.S. Fish and Wildlife Service will protect raptor habitat from human disturbance as defined in the Code of Federal Regulations and as discussed in the managing agencies resource management plans.

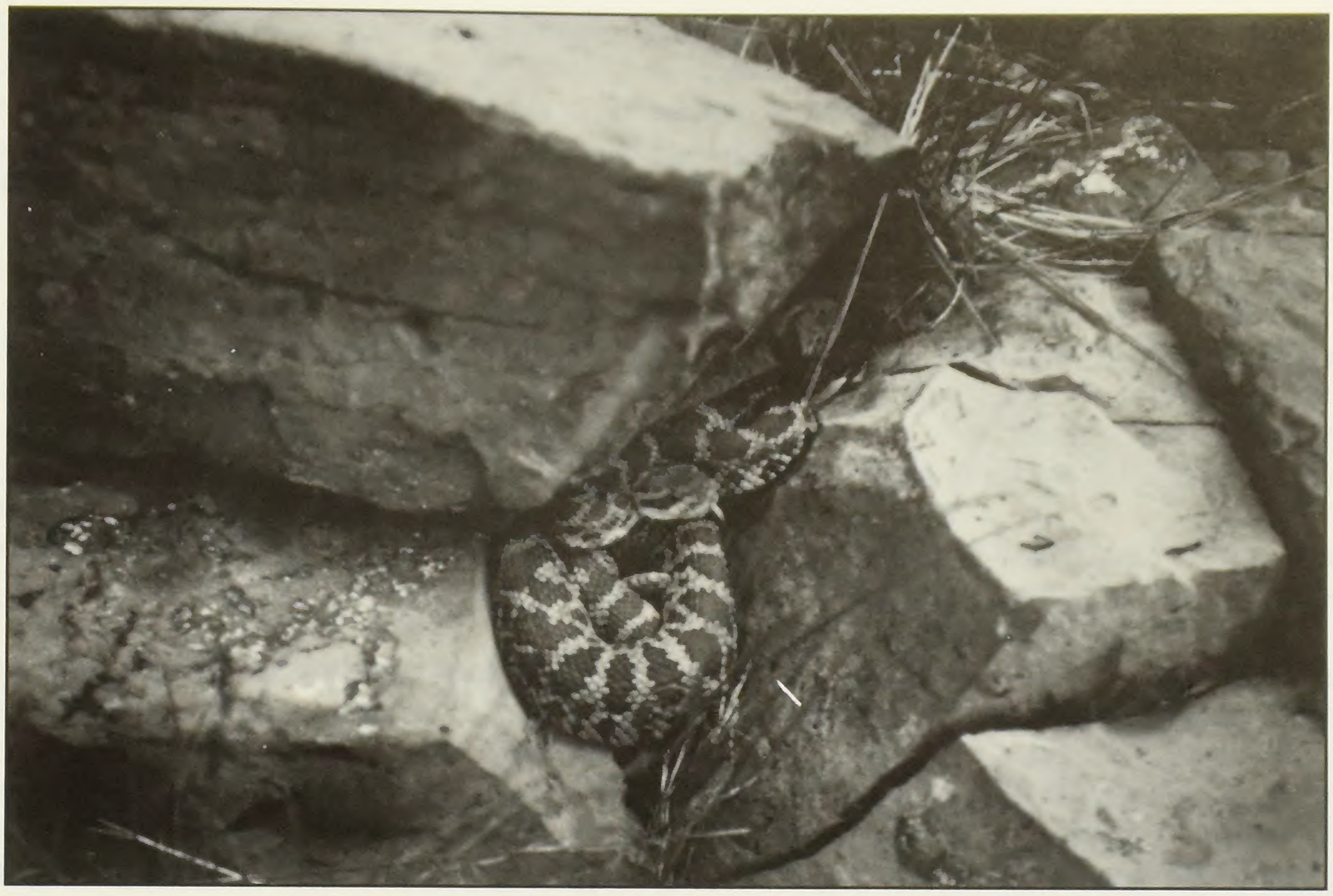
Most scenery values remain protected by steep terrain and limited public access. Activities within areas on public lands having high or sensitive visual quality may be permitted if they would not attract attention or leave long-term adverse visual changes on public land. Any new projects within the corridor will require visual contrast analysis to ensure that scenery values are not adversely impacted. Adjacent landowners will be encouraged to consider scenic values in their land use and property management activities.

The recreation management setting contributing to scenic values will be Recreation Opportunity Spectrum (ROS) classification of Semi-Primitive Non-Motorized between the canyon rims and Semi-Primitive Motorized upon the plateaus. All lands within the wild and scenic river corridor will be managed to protect, or where possible enhance, Visual Resource Management (VRM) classifications for retention between the canyon rims and partial retention upon the plateaus.

A combination of grazing (on the plateaus), juniper thinning, vegetation manipulation, fire management strategies, and other vegetation and wildlife habitat enhancement tools will be used to manage the upland environment and protect scenic values. Chemical management within the corridors' upland areas will be allowed only when no other vegetation management tools are more appropriate or it is the best technique to meet plan objectives. Naturally appearing enhancement projects will be emphasized.

Wildlife enhancement projects such as installation of roosting platforms for birds will be encouraged. Upland water sources will be developed for better wildlife distribution.

Federal and State agencies, in cooperation with the Oregon State University, private landowners, and other interested groups, will conduct comprehensive inventories and develop a strategy for protection of federal and state listed threatened, endangered, sensitive plant and animal species, and ecological communities such as canyon ecosystems and riparian habitat which are important to maintaining existing biological diversity. Native species will be emphasized. Introduction of non-native plant and animal species could occur if determined that there would be no adverse affect to any resource value. Cooperative agreements for wildlife habitat improvements will be pursued with private landowners.



Talus slopes within the canyon areas provide excellent habitat for a variety of wildlife species, including this diamondback rattlesnake

Livestock grazing on all public lands within the upland canyon (between the canyon's highest rims) and riparian areas will no longer be allowed. Livestock grazing on public lands along the plateaus beyond the canyon rims will be managed to achieve an upward trend in ecological condition. Gap fencing on public lands will be constructed along the rims in active grazing allotments where natural features don't exist to exclude livestock from accessing public lands between the rims. This will primarily take place on the Cooper allotment (BLM-7514) adjacent to private land boundaries. Existing upland water sources will be developed upon the plateaus for better livestock and wildlife distribution and forage utilization.

Cultural Resources

The managing agencies will manage archaeological/historical and traditional use resources within the Middle Deschutes and Lower Crooked River corridors through a coordinated plan of goals and objectives covering BLM, U.S Forest Service, and Oregon State Parks and Recreation Department managed lands. Private landowners will be encouraged to participate in this process.

The managing agencies will each maintain a cultural resources database atlas for lands under their jurisdiction. The Tribes will be encouraged to contribute information on significant traditional use sites and materials.

The managing agencies will conduct an appropriate level of inventory, over lands under their jurisdiction, to identify prehistoric and historic sites or features in areas proposed for surface-disturbing projects. Sites discovered will be evaluated for significance following National Register of Historic Places criteria, in consultation with the State Historic Preservation Office. The managing agencies will consider the effect of any proposed undertaking on sites which meet the National Register criteria by following regulations of the Advisory Council on Historic Preservation or memoranda of agreement negotiated with the Council.

Projects with ground-disturbing activities in National Register eligible sites will be relocated. Project cancellation or mitigating measures will take place in areas where relocating a planned project is not feasible. Mitigation will usually be an attempt to extract and preserve those attributes of a site which qualify it for the National Register.

The managing agencies will consult with, and invite the participation of, the Tribes on proposed surface disturbing activities.

The managing agencies will protect and/or stabilize cultural resource sites from human-caused or natural sources of erosion or deterioration were possible.

The managing agencies will increase emphasis on enforcement of established laws, regulations, and policies related to the protection and preservation of cultural resource values. A monitoring plan will be developed and implemented to document changes (natural and human-caused) and ensure adequate protection.

The managing agencies will develop and implement a public information/education program aimed at increasing public awareness of and appreciation for the significance of cultural resources.

Limited Federal or State acquisition to protect significant cultural properties on private lands within the corridors will be pursued by the managing agencies. Protection of cultural properties on private lands will be achieved through acquisition of fee title, easement, or other cooperative efforts with willing landowners. Managing agencies will promote protection of cultural resources on private lands within the corridors using education or landowner incentive programs.

The BLM, USFS, and State Parks will coordinate efforts to conduct a comprehensive inventory of lands within the corridor boundaries.

Cultural resources will continue to be protected, stabilized, or preserved in areas where high levels of recreation occur on public land. Public use will be encouraged in non-culturally sensitive areas as a protective measure. High use areas will be designed to route access away from significant cultural resource sites. Recreation use will be prohibited in sites where impacts could not be mitigated or avoided. Access and interpretation of cultural resource sites on public lands with high educational value may be provided subsequent to appropriate mitigating measures.

The National Grasslands will selectively enhance and interpret cultural resources, with priority on identifying sites that will compliment management emphasis of specific National Grassland areas.

The appropriateness for on-site interpretation of sites on BLM administered lands will be based on further inventory.

Increase public awareness and appreciation for cultural resources and solicit the public's support in the protection of those resources through outreach and education programs.

Detection of damage by vandalism will trigger mitigation activities and/or law enforcement investigations. Promote on-site public appreciation of cultural resources and awareness of the significance of protecting these resources by installing interpretation facilities in campgrounds and trailhead areas.

A comprehensive monitoring plan will be implemented. Special emphasis will be placed on those sites that are most vulnerable to impacts.

Information and Education

The managing agencies will become actively involved in seeking volunteers to assist in public information and education programs, encourage stewardship, and to provide annual care for the corridors. The managing agencies will also coordinate efforts with private landowners, and local and regional conservation groups to conduct year-round protection of river related resources.

The managing agencies will install easy to read signs with regulations, resource information, and administration actions clearly visible in high use areas to meet management objectives.

The managing agencies will develop a strategy to incorporate "Tread Lightly", "Pack It In - Pack It Out", "No Trace Camping", and "No Trespassing" ethics into the public information and education program. Interpretive kiosks and/or small interpretive signs emphasizing minimum impact of public lands will be installed in key access areas within both river corridors.

The managing agencies will emphasize the development of a coordinated public information and education program which utilizes volunteer events, local displays, interpretive signs, brochures, maps and other public outreach strategies to gain public understanding of river resources, management goals and objectives, and respect private landowners rights.

In cooperation with State Parks and Madras/Redmond Chamber of Commerce, the managing agencies will develop a Wild and Scenic River interpretative display at Ogden State Wayside information center.

Brochures, signs and interpretive materials will contain information on access roads, trails, parking, camping, and resource protection strategies.

The managing agencies will develop a coordinated sign plan for the river corridors. Signs installed at camping areas, day use areas, trailheads, and other appropriate use areas will be of the same sign design standards where feasible. Facilities and major use areas will be clearly signed to encourage appropriate use.

Law Enforcement and Emergency Services

The managing agencies will increase law enforcement presence in both river corridors while improving law enforcement communications between agencies. Annual meetings will be conducted to facilitate better coordination. A uniform communication network will be implemented. Public education and enforcement patrols will be conducted, as defined by the coordination team with private landowner and recreation staff involvement.

BLM, National Grasslands and local fire districts will continue coordination efforts through the Central Oregon Cooperative Fire Management Plan and be jointly involved in fire suppression and fire prevention responsibilities.

The BLM and National Grasslands will continue fire suppression responsibilities on public lands within the corridors. Wildfire suppression will occur at whatever level necessary to protect public values and adjacent private property with minimal mechanical disturbance.

The managing agencies will provide technical assistance to private landowners in planning prescribed burns to reduce fire hazard. Coordination with county fire permit information centers will occur to provide consistency between public land fire closures and burning on private lands.

The managing agencies will develop a cooperative search and rescue plan with local, county, state, and federal agencies and hospitals.

Public land safety regulations will be developed along with an active signing campaign within high use areas.

The managing agencies will improve response to potential natural and human-caused emergencies by providing "Radio Help" during high visitor use periods when feasible.

The managing agencies will incorporate fire regulations, fire hazard, and individual liability information into the coordinated public information and education program.

Utility and Transportation Corridors

Those applying for right-of-way permits for utility and transportation corridors will be encouraged to locate new facilities adjacent to existing facilities. All rights-of-way applications to the managing agencies will be reviewed using the criteria of following existing corridors wherever practical and avoiding proliferation of separate rights-of-way. Recommendations made to applicants and actions approved will be consistent with the Brothers/LaPine Resource Management Plan, Crooked River National Grassland Management Plan, and Wild and Scenic River standards.

No additional river crossing sites on BLM and National Grasslands within the Middle Deschutes and Lower Crooked Wild and Scenic River boundaries will be permitted. Replacement or upgrade of existing facilities that cross the rivers will be allowed if a qualitative assessment shows no significant, long-term adverse impact to outstandingly remarkable values.

Replacement of existing facilities will be allowed at the current level of development within existing utility corridors. All rights-of-way applications will be reviewed on a case-by-case basis and allowed only if the outstandingly remarkable values were not significantly affected. Areas within existing corridors having high or sensitive scenic qualities will be avoided or appropriate mitigation measures will be taken.

Mineral Resources

The BLM and National Grasslands reserve rights to sub-surface minerals throughout the river corridors.

Mineral exploration and development on public lands within the river corridors will be regulated to prevent unnecessary and undue degradation to outstandingly remarkable values.

The managing agencies will grant no special uses that will have a direct and adverse effect upon river related values within the Middle Deschutes and Lower Crooked River corridors.

Leasable minerals such as oil, gas and geothermal will remain open for leasing on BLM lands. Surface occupancy is not allowed within the Middle Deschutes and Lower Crooked River corridors unless activities can be mitigated. Evidence of surface occupancy, exploration, or similar activities should not be visible from these rivers. Evidence of reclamation upon activity completion will be required to be substantially unnoticeable. All activities will use existing roads to the fullest extent possible.

On National Grasslands, use, occupancy or surface disturbance will not be allowed within the river corridors.

New saleable mineral material sites will not be authorized on BLM managed public lands within the Middle Deschutes and Lower Crooked Wild and Scenic River boundary areas. Private surface and sub-surface right acquisition or scenic easements will be pursued with willing mineral right holders to minimize potential impacts to scenic quality.

Existing saleable mineral leases on BLM managed lands will be required to remain consistent with the long-term protection and management of other resource values. These existing activities may be visible from the rivers but should not attract attention, leave long term visual impacts, or be located on steep slopes. The evidence of reclamation is required to be substantially unnoticeable after reclamation has been completed. All activities will use existing roads to the fullest extent possible.

Common (saleable) mineral material sources will not be inventoried or developed within those areas designated as wild and scenic rivers on National Grasslands.

Areas not specifically withdrawn from mineral entry on BLM public lands will continue to be open under the mining laws to help meet the demand for locatable minerals. Mineral exploration and development on public land will be regulated to prevent unnecessary and undue degradation. A plan of operation will be required prior to commencing locatable mineral use operations in areas

Diatomaceous deposits near Lower Bridge were mined extensively in the 1930's and 40's

designated for potential addition to, or an actual component of the National Wild and Scenic Rivers System.

The 1872 mining law does not apply to National Grassland acquired lands managed by the USFS. Traditionally, locatable minerals are only available by leasing on these lands. Prospecting permits and leases will be allowed within the wild and scenic boundary if located a 1/4 - mile away from the Middle Deschutes and Lower Crooked Rivers.

Navigability and State Ownership of the River Bed and Banks

State ownership to the beds of navigable waterbodies was granted to Oregon in 1859 as an incidence of statehood and is an inherent attribute of state sovereignty protected by the U.S. Constitution. The beds of non-navigable waterbodies remained in the ownership of the United States or its grantees. The navigability of the Middle Deschutes and Lower Crooked Rivers has not been established. Currently, the state government, federal government and private property owners, claim ownership of the river's bed and bank. This river plan does not propose to address the issue of navigability. Rather, the river plan is intended to provide a management direction for both rivers.

Under state law, the Division of State Lands (DSL) is responsible for the management of the beds and banks of navigable waterbodies (ORS 274.005-274.590). DSL is the administrative arm of the State Land Board, composed of the Governor, Secretary of State, and State Treasurer. Under constitutional and statutory guidelines, the Board is responsible for managing the assets of the Common School Fund. These state-claimed assets include the beds and banks of Oregon's navigable waterways and are to be managed for the greatest benefit of the people of this state, consistent with the conservation of this resource under sound techniques of land management. Protection of public trust values of navigation, fisheries, and public recreation are of paramount importance, too.

The original federal test for determining navigability was established in *The Daniel Ball* case over 100 years ago. This U.S. Supreme Court admiralty case clarified that rives "are navigable in fact when they are used, or susceptible of being used, in their ordinary condition, as highways of commerce...." Interpreting the requirement, subsequent court decisions have adopted this test for title purposes and have ruled that a waterbody is navigable if it was capable of use, at the time of statehood, as a public highway for transporting goods or for travel in the customary modes of trade and travel on water.

DSL has determined that there is sufficient evidence to claim navigability and state ownership for the beds and banks of the Middle Deschutes and Lower Crooked River. The position of the BLM and the U.S. Forest Service is that navigability of the river has not been established.

For purposes of managing the above portion of these rivers, any non-federal activities or land uses such as new utility or transportation corridors and boat ramps or similar facilities that impose into or cross a waterway below ordinary high water require an easement from the State Land Board. Existing non-federal facilities will require an easement at such time as they undergo major structural alteration, replacement, or relocation. In addition, removal of non-federal sand and gravel requires a royalty lease and any non-federal use that occupies any area of submerged or submersible land requires a waterway lease.

Further, the DSL also administers the State's Removal-Fill Law which protects Oregon's waterways from uncontrolled alteration. The law requires a permit for fill or removal of more than 50 cubic yards of material within the State's waterways. The permit-review process involves coordination with the natural resource and land use agencies from the local through the federal levels. Within Oregon Scenic Waterways, special authorization is needed from the Board and DSL for "any alteration of the beds and banks" of the Deschutes River within the plan area. (ORS 390.835)

Nothing set forth herein shall limit the ability of the Bureau of Land Management or U.S. Forest Service to administer these rivers. The Bureau of Land Management, U.S. Forest Service, State, County, and local governments will continue to work together to assure that the public trust interest and the purpose of the Wild and Scenic Rivers Act are met.

State Scenic Waterway Boundary

The State Scenic Waterway boundary on the Middle Deschutes River will remain unchanged as a uniform 1\4 mile boundary on either side of the river in Segments 3 and 4. Public land managers and private landowners within the corridor boundary are responsible for complying to the State Scenic Waterway Program regulations and guidelines as discussed in Chapter 3.

Wild and Scenic Rivers' Boundary Delineation Process

The Wild and Scenic Rivers Act (Section 3(b)) specifies that after a river is designated, the agency charged with its administration must establish detailed boundaries delineating the land area within the river corridor that will be managed under the Act. The Act specifies that the area within each corridor should not average more than 320 acres per river mile on both sides of the river, placing the boundaries an average of 1/4 mile from the river on each bank. This allows for irregular boundaries on either side of the river. Boundary delineation decisions are made on the basis of topography, location of outstanding resources, land ownership and use patterns, and public comment.

Early in the planning process, BLM held six public scoping meetings to ensure full public participation during preliminary boundary delineation. The preliminary National Wild and Scenic River boundaries as shown in the Draft Management Plan and Environmental Assessment, were developed as a result of these meetings. The boundaries are irregular in shape to include as many of the areas as possible that contain or directly support the identified outstandingly remarkable values associated with the river. During the public review period for scoping issues many people, including work group members, requested that the preliminary boundaries be reconsidered.

A Visual Resource Management (VRM) study of river segments 3, 4, and the Lower Crooked segment was conducted by the BLM between June and September of 1991. The purpose of this study was to determine the overall scenic quality of the river segments and provide additional baseline information for establishing new corridor boundaries and monitoring scenic quality. Results of the VRM study along with the information gathered to identify outstanding and significant resource values provided the basis for delineating final boundaries as shown on Map 2.

III. Oregon Scenic Waterway Program

A. Background

The Oregon Scenic Waterway Act was established by a ballot initiative in 1970. The original Oregon Scenic Waterways system created by the Act included 496 free-flowing miles of six rivers.

Rivers can be added to the system through designation by the Governor or the legislature. Such actions have added significant mileage of five rivers, as well as Waldo Lake, to the Scenic Waterways system since passage of the original Act.

Rivers can also be added to the system by the citizens of Oregon. In 1988, Oregon voters passed the Oregon Rivers Initiative (Ballot Measure #7), which added 573 river miles to the system. These additions included the segments of the Middle Deschutes River from Robert Sawyer Park to Tumalo State Park, and Deschutes Market Road to Lake Billy Chinook. There are now one lake and segments of 19 rivers (1,148 miles), in the State Scenic Waterways system.

B. Program Goals

The scenic waterway program promotes cooperative protection and wise use of rivers in the system by all agencies (federal, state and local), individual property owners and recreation users. Five general program goals include:

1. To protect the free-flowing character of designated rivers for fish, wildlife and recreation. No dams, reservoirs, impoundments or placer mining activities are allowed on scenic waterways.

2. To protect and enhance scenic, aesthetic, natural, recreation, scientific, fish and wildlife values along scenic waterways. New development or changes of existing uses proposed within a scenic waterway are reviewed before they may take place.

3. To protect private property rights. The Act discourages unsightly structures or inappropriate development that could be a nuisance to neighboring landowners and/or even depreciate property values. It prohibits pollution and the disturbance of adjacent surface lands by placer mining. It also prohibits public use of private property without explicit consent of the landowner.

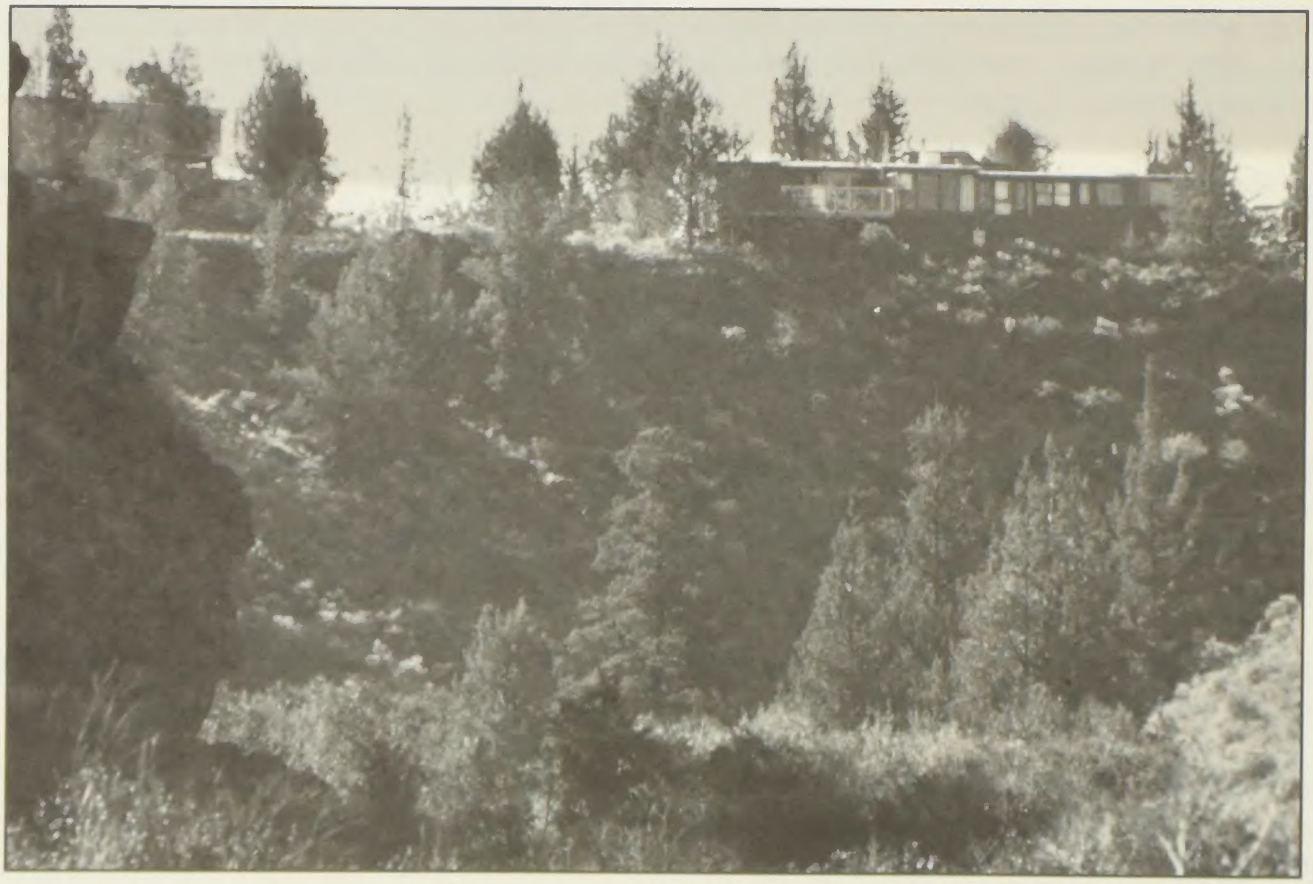
4. To promote expansion of the scenic waterway system. The Act sets up a process for adding new rivers to the system and establishes criteria for candidate rivers.

5. To encourage other local, state and federal agencies to act consistently with the goals of the program. Oregon State Parks reviews plans and decisions made by other agencies to ensure consistency with the scenic waterways program.

C. Administration

Scenic waterways are administered under the authority of the Oregon State Parks and Recreation Commission (ORS 390.805 to ORS 390.925). Administrative rules (OAR 736-40-005 to 736-40-040) have been adopted to govern the program (see Appendix E). In addition to the general rules governing the program, specific rules are generated for management of each river segment in the system. These rules are created through the management planning process, and tailored to the actions necessary to maintain the existing character of the designated river corridor.

The Act and the Commission's rules require the evaluation of proposed land use changes within one-quarter mile from the ordinary high water line, on each side of the river, for their potential impacts on the special attributes of the river. Property owners wanting to build roads or houses, extract minerals and aggregate, harvest timber, or other similar projects, must provide written notification to the Oregon State Parks and Recreation Department. Parks evaluation of the project will be coordinated with other natural resource agencies (federal and state) having regulatory responsibility and with the local jurisdiction. Parks relies on its river classification and administrative rules for each segment of the scenic waterway to determine whether the proposed project is incompatible or inconsistent with the designated classification. State Parks will work with the landowner to reach a resolution of conflicts. Where such resolution cannot be reached, the



Rim developments in the Middle Deschutes are regulated by State Parks as well as Deschutes and Jefferson counties

Commission must decide within one year of the original notification whether to pay the property owner for the land or the development rights. If the Commission does not decide within one year to acquire the land or development rights, then the landowner may proceed in accordance with the original development proposal.

Other local, state, and federal agencies must comply with the scenic waterway law and rules. Parks coordinates the program with other state and federal agencies to assure their actions are compatible with scenic waterway Act, administrative rules and resource management plans.

D. The Management Planning Process

The goal of the scenic waterway management planning process is to develop a comprehensive and workable management plan which will protect or enhance the special attributes of the designated river corridor. Primary emphasis is the protection of aesthetic, scenic, fish and wildlife, scientific, and recreational features.

The intent is to maintain the existing scenic condition of the area, without "turning back the clock" on existing land uses. The mechanisms for protection and enhancement include:

River Classification - Within the management plan, scenic waterways are classified into one or more of six possible classifications, according to the character of the landscape and the amount and type of development.

Administrative Rules - Once the classifications are set, specific guidelines for new development are established as land management rules.

Other Management Recommendations - These are suggestions for actions to protect or enhance corridor values. Implementation could be through the State Parks Department, other state agencies, federal agencies or local agencies, organizations or persons.

E. Scenic Waterway Classification

Under Oregon law (ORS 390.845 - Functions of the department; use of adjacent lands), the scenic waterway program is administered by the State Parks and Recreation Commission, and staffed the Oregon State Parks and Recreation Department. The Parks Department is required to protect the aesthetic, scenic, fish and wildlife, scientific and recreation features based on special attributes of each river. The Parks Department strives to protect special attributes of the river while recognizing existing land uses and management practices on adjacent lands.

In order to define and achieve management goals, the river is classified into one or more of six possible classifications according to the present level of land development, committed land uses, or landscape alterations. Once the classifications are set, appropriate guidelines for new development or landscape alterations are established as rules. The major aim of the program is to maintain the existing scenic condition of the river.

The following are existing land use and land alteration conditions usually associated with each of the six river classifications; and how each kind of classification should be administered (managed) in scenic waterways:

1. **Natural River Areas** are generally inaccessible except by trail or river, with primitive or minimally developed shorelands. Preservation and enhancement of the primitive character of these areas is the goal of this and the next two classifications.

2. **Accessible Natural River Areas** are relatively primitive, undeveloped areas with access by railroad or lightly traveled road.

3. **Natural Scenic View Areas** are designated where one riverbank is inaccessible, undeveloped or primitive in character while the opposite bank is accessible and developed.

4. **Scenic River Areas** may be accessible by roads, but are largely undeveloped and primitive except for agriculture and grazing. River segments considered "Scenic" are managed to maintain or enhance their high scenic quality, recreation value, fishery and wildlife habitat. The intent is to preserve their largely undeveloped character while allowing continued agricultural land use.

5. **Recreational River Areas** are readily accessible by road or railroad, with some agricultural, commercial and/or residential development along the banks; the river may have undergone some impoundment or diversion in the past. River segments considered "Recreation" are managed to allow continuance of compatible river-oriented public outdoor recreation opportunities, to the extent that these do not substantially impair the natural beauty of the scenic waterway or diminish its aesthetic, fish and wildlife, scientific and recreational values.

6. **River Community Areas** are river segments where the density (residential tract or platted subdivision) of existing structures or other developments precludes application of a more restrictive classification. River segments considered "Community Areas" are managed to allow development that is compatible with county zoning and blends into the natural character of the surrounding landscape. This also means protecting riparian vegetation, and encouraging activities that enhance the landscape.

The rules established for each river classification generally allow some new construction and continued use of existing structures and improvements. Though some improvements require notification, review and approval, many others do not. For example, notification and approval is not generally needed for construction of new fences; maintenance of farm buildings, fences or outbuildings; laying of irrigation lines; crop rotation; removal of danger trees; construction of grain storage facilities under certain conditions; maintenance of existing residences and outbuildings; minor residential remodeling; construction of garage adjacent to existing homes; certain changes in homesite landscaping; maintenance of roads and bridges; and firewood cutting for personal use.

Mining, road building, construction of most new structures, placement of mobile homes, land clearing and timber harvest are examples of activities requiring approval. River classifications and the associated rules or guidelines determine how the natural and scenic beauty of the river will be maintained.

Hydrologic features such as Big Falls at Deschutes river mile 132.3 add significantly to the scenic beauty of the river corridors

F. Middle Deschutes Scenic Waterway Land Management Program

Proposed Classifications

The Oregon State Parks and Recreation Department proposes to apply four classifications to given segments of the Middle Deschutes Scenic Waterway. Classification locations and explanations for why each is applied to river segments are provided below:

1. **River Community Areas**

A. From Sawyer Park at approximately river mile 164 to the northern Urban Growth Boundary of the City of Bend at approximately river mile 161, the river is classified *North City of Bend River Community Area*. Except for Sawyer Park, this entire segment is in private ownership with river access limited to the park. Downstream of the park, numerous developments are very prominent, some encroaching over the edge of the rimrock. Adjacent to the west side of the river an irrigation flume maintenance road is visible as are subdivision and public roads.

The management goal is to allow development that is compatible with City of Bend and Deschutes County zoning and ensure that any new developments are unobtrusive.

B. From approximately river mile 129.9 to 131.5, the residential building lots #1-50 within Phase 5 of the Crooked River Ranch subdivision as specified on the Plat Map recorded November 1973, in book 2, Pages 253-258, in the Deschutes County Clerk's Office, the river is classified *Crooked River Ranch River Community Area 1.*

C. From approximately river mile 124.3 to 125.25, the residential building lots #1-107 within Phase 12 of the Crooked River Ranch subdivision as specified on the Plat Map recorded June 1978, in book 12, Page 582, in the Jefferson County Clerk's Office, the river is classified *Crooked River Ranch River Community Area 2.*

Crooked River Ranch is an unincorporated residential development of over 2,260 individual parcels. The Ranch features a golf course, extensive road system and utilities.

The management goal is to allow development that is compatible with applicable county zoning and ensure that any new developments are unobtrusive.

2. **Recreational River Areas**

From the northern Urban Growth Boundary of the City of Bend at approximately river mile 161 downstream to Tumalo State Park at approximately river mile 158, the river is classified *Recreational River Area.* Private development surrounds Tumalo State Park and developments are prominent along the canyon rim. Access to the river in the first mile is limited to private ownership and steep terrain. Access is available in the lower segment because of public ownership and a river trail.

The management goal is to preserve the area's recreational quality and ensure that any new developments blend into the natural character of the surrounding landscape.

3. **Scenic River Area**

A. From Deschutes Market Road at approximately river mile 157 downstream to the south boundary of the Wilderness Study Area at approximately river mile 131, excluding the Cline Falls dam and powerhouse section between the State Highway 126 Bridge and river mile 144 and the Crooked River Ranch Community Area 1, the river is classified *Scenic River Area.* Between Deschutes Market Road and Lower Bridge much of the riverfront land is privately owned. This area has been developed or subdivided into parcels in sizes ranging from 1/2 acre to 5 acres. The Bureau of Land Management manages land near Awbrey Falls at approximately river mile 152.6 as defined in the Brothers/LaPine Resource Management Plan. Other Public lands located within the National Wild and Scenic River corridor will be managed as defined by the overall management plan.

Used mostly for recreation and grazing, the area within the canyon is unimproved except for trails. At about river mile 146, the Eagle Crest destination resort and residential development area lies on the canyon rim west of the river and upstream from Cline Falls State Park. A trail has been constructed near the left bank of the river and the majority of residential units proposed for construction along the rim have been built. An unmaintained but well-used footpath crossing both private and public land exists on the east bank directly across from Eagle Crest. Downstream of Eagle Crest, Cline Falls State Park provides day use facilities and river access. Oregon Route 126 crosses the river on the north boundary of Cline Falls State Park. An abandoned highway bridge and the Cline Falls hydroelectric dam and powerhouse are north of Route 126. Two large subdivision tracts are downstream; Odin Falls Ranch at approximately river mile 138 and Lower Bridge Estates at approximately river mile 135. The majority of lots in these subdivisions are undeveloped.

Between Lower Bridge and the south boundary of the Wilderness Study Area large lots of privately owned land remain relatively undeveloped except for agricultural uses. An old county road runs for several hundred yards along the west bank of the river north of Lower Bridge. This section of river marks the transition zone between shallow and deep river canyon characteristics.

The management goal is to preserve the area's scenic quality by ensuring that all new developments blend into the natural character of the surrounding landscape and preserve undeveloped character associated with agriculture uses.

4. Natural River Area

From the south boundary of the Wilderness Study Area at approximately river mile 131 to the Lake Billy Chinook stream gauge at approximately river mile 120, excluding the Crooked River Ranch Community Areas as described in the River Community section, the river is classified *Natural River Area.* In this eleven mile segment, the river courses through a deep canyon with multiple rimrock formations and a variety of colors and textures in the walls. Within the river canyon there are no developed recreation facilities, though hiking, fishing, hunting, and primitive camping uses are evident.

The management goal is to maintain the primitive character of the landscape.

Proposed Land Management Rules

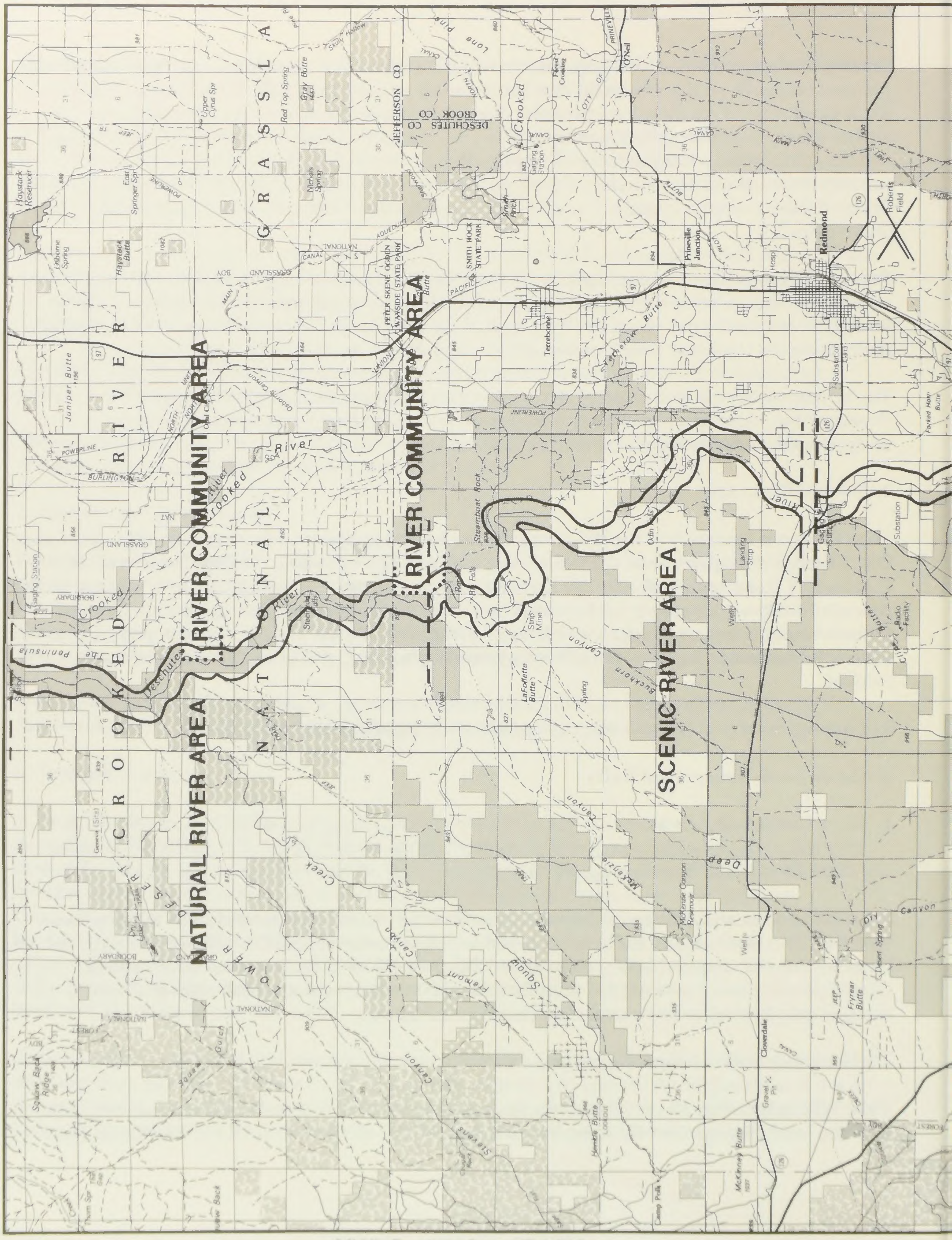
1. River Community Areas

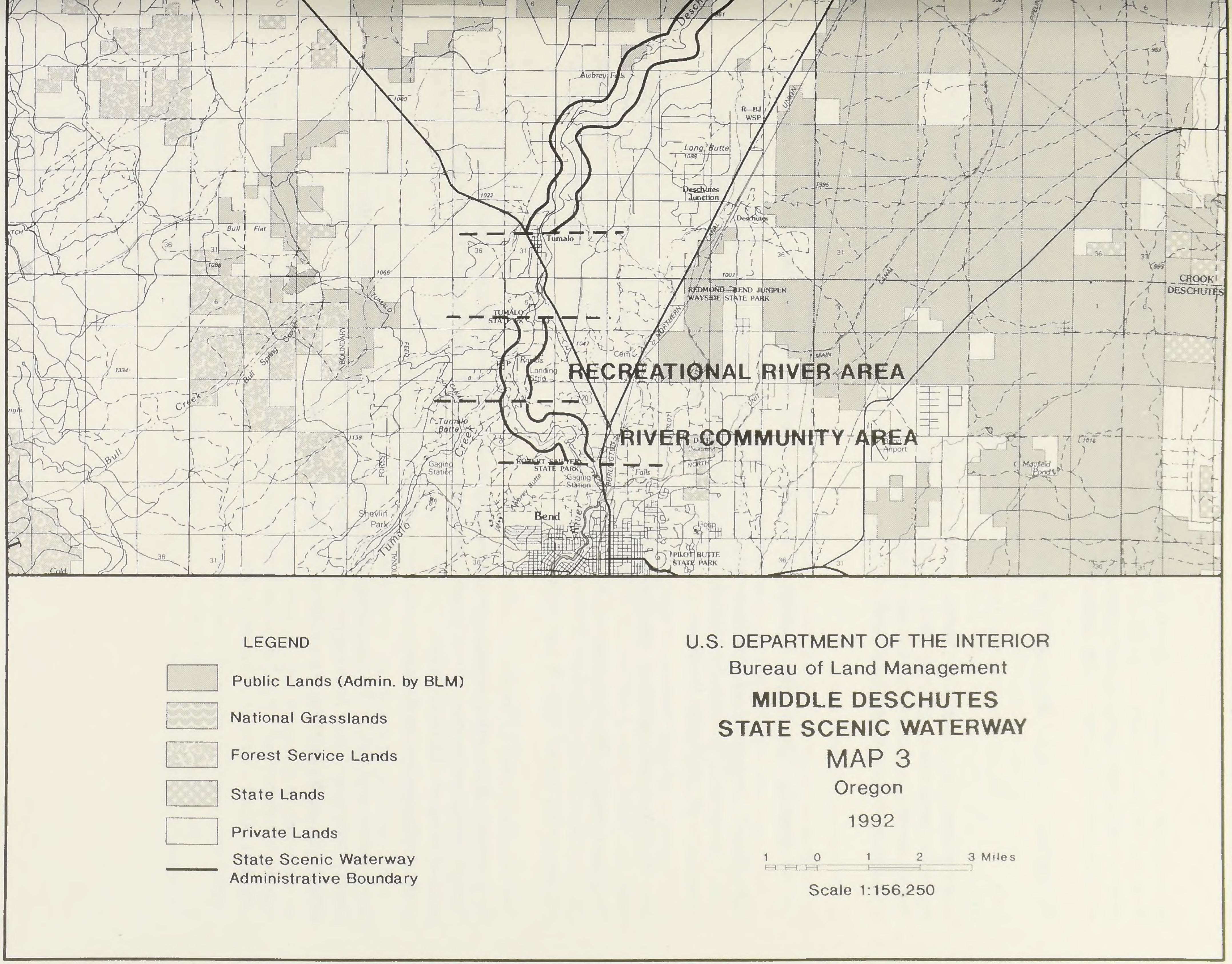
The North City of Bend River Community Area

Rule: Within this area, all new structures, improvements and development shall be in compliance with the Land Management Rules as described in OAR 736-40-035 and OAR 736-40-040(1)(f), and be consistent with applicable City of Bend and Deschutes County land use and development regulations. Improvements needed for public recreation use or resource protection shall be designed to blend with the natural character of the landscape.

The Crooked River Ranch River Community Area 1

Rule: Within this area, all new structures, improvements and development shall be in compliance with the Land Management Rules as described in OAR 736-40-035 and OAR 736-40-040(1)(f), and


NATURAL RIVER AREA
RIVER COMMUNITY AREA
RIVER COMMUNITY AREA
SCENIC RIVER AREA
CROOKED RIVER NATIONAL GRASSLAND
LOWER DESERT
Deschutes River
Crooked River
The Peninsula
JEFFERSON CO
DESCHUTES CO
CROOK CO
PETER SKENE OGDEN WAYSIDE STATE PARK
SMITH ROCK STATE PARK
Smith Rock
Redmond
Terrebonne
Prineville Junction
O'Neil
Roberts Field
Haystack Reservoir
Haystack Butte
Juniper Butte
Steamboat Rock
Odin Falls
Big Falls
Steelhead Falls
LaFollette Butte
Buckhorn Canyon
Deep Canyon
McKenzie Canyon
McKenzie Canyon Reservoir
Fremont Canyon
Squaw Creek
Stevens Canyon
Cline Buttes
Forked Horn Butte
Fryrear Butte
Dry Canyon
Cloverdale
McKinney Butte
Henkle Butte
Squaw Back Ridge
Gray Butte
Nichols Spring
Osborne Spring
Gaging Station
Landing Strip
Substation
Radio Facility
Lone Pine
PRINEVILLE
97
126


RECREATIONAL RIVER AREA
RIVER COMMUNITY AREA
Tumalo
TUMALO STATE PK
Bend
ROBERT SAWYER STATE PARK
PILOT BUTTE STATE PARK
REDMOND - BEND JUNIPER WAYSIDE STATE PARK
Deschutes Junction
Deschutes
Long Butte
Aubrey Falls
R—BJ WSP
CROOK
DESCHUTES
Airport
Mayfield Pond
Shevlin Park
Tumalo Butte
Gaging Station
Falls
Landing Strip
Bull Flat
Spring Creek
Bull Creek
Tumalo Creek
Awbrey Butte
LEGEND
Public Lands (Admin. by BLM)
National Grasslands
Forest Service Lands
State Lands
Private Lands
State Scenic Waterway Administrative Boundary
1 0 1 2 3 Miles
Scale 1:156,250

U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
MIDDLE DESCHUTES
STATE SCENIC WATERWAY
MAP 3
Oregon
1992

be consistent with applicable Deschutes County land use and development regulations. There will be no further partitioning of designated Community Areas for residential development. Improvements needed for public recreation use or resource protection shall be designed to blend with the natural character of the landscape.

The Crooked River Ranch River Community Area 2

Rule: Within this area, all new structures, improvements and development shall be in compliance with the Land Management Rules as described in OAR 736-40-035 and OAR 736-40-040(1)(f), and be consistent with applicable Jefferson County land use and development regulations. There will be no further partitioning of designated Community Areas for residential development. Improvements needed for public recreation use or resource protection shall be designed to blend with the natural character of the landscape.

2. Recreational River Areas

The river from the Urban Growth Boundary north of the City of Bend to Tumalo State Park

Rule: Within these areas, all new structures, improvements and development shall comply with the Land Management Rules as described in OAR 736-40-035 and OAR 736-40-040(1)(c)(B), and be consistent with applicable Deschutes County land use and development regulations.

New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river. A set back of 20 feet or more is required from the edge of the rim rock (where this feature exists). The exact distance for the above setbacks shall be determined on a case by case basis and shall be dependent on existing terrain, existing vegetation, height of proposed structure, and applicable county setback requirements.

New structures shall be finished in colors and tones that blend with the surrounding landscape. For the purposes of this rule, landscape includes indigenous vegetation, soils, and rock material. Natural evergreen vegetation will be maintained between the structures and the river. The establishment of additional vegetative screening (preferably native vegetation) may be required to further mitigate the visual impact of the structure as seen from the river.

Roads, mines and similar forms of development shall be set back from the river consistent with County zoning and land development requirements and be screened from view from the river by topography, or by existing or established evergreen vegetation.

Improvements needed for public recreation use or resource protection shall be designed to blend with the natural character of the landscape.

3. Scenic River Area

The river from Deschutes Market Road to the section boundary, excluding the Cline Falls dam and powerhouse section, between the State Highway 126 bridge and river mile 144.

Rule: Within this area all new structures, improvements and development will comply with the Land Management Rules as described in OAR 736-40-035 and OAR 736-40-040(1)(b)(B) and be consistent with applicable Deschutes County land use and development regulations.

New structures and improvements shall be set back a minimum of 100 feet from the ordinary high water line of the river. A set back of 20 feet or more is required from the edge of the rim rock (where this feature exists). The exact distance for the above setbacks will be determined on a case by case basis and will be dependent on existing terrain, existing vegetation, height of proposed structure, and applicable county setback requirements.

New structures shall be finished in colors and tones that blend with the surrounding landscape. For the purposes of this rule, landscape includes indigenous vegetation, soils, and rock material. Natural evergreen vegetation shall be maintained between the improvements and the river. The establishment of additional vegetative screening (preferably native vegetation) may be required to further mitigate the visual impact of the structure as seen from the river.

Roads, mines and similar forms of development shall be screened from view from the river by topography. Within this area no new roads or mines shall be allowed below the canyon rim.

Improvements needed for public recreation use or resource protection shall be designed to blend with the natural character of the landscape.

4. Natural River Area

From the south boundary of the Wilderness Study Area at approximately river mile 131 to Lake Billy Chinook, excluding the Crooked River Ranch River Community Areas.

Rule: Within this area all new structures, improvements and developments shall comply with the Land Management Rules as described in OAR 736-40-035 and OAR 736-40-040(1)(a)(C), and be consistent with applicable local land use and development regulations.

No new structures and improvements shall be allowed within this area unless fully screened from view from the river by topography except those minimal facilities needed for resource protection or public outdoor recreation.

Roads, mines and similar forms of development shall be permitted only when fully screened from view from the river by topography. Any existing roads shall not be extended, realigned, or improved substantially unless fully screened by topography. All excess road construction materials (side cast) shall be removed to locations screened from view from the river and where they can not be transported by gravity to the river.

New structures, improvements and development needed for resource protection or public outdoor recreation use shall be primitive in character and designed to blend with the natural character of the landscape. These structures shall be finished in colors and tones that blend with the surrounding landscape. For purposes of this rule, landscape includes indigenous vegetation, soils, and rock material.

Proposed Management Recommendations

1. Public agencies should develop and install small interpretive signs in key areas within the river corridor. Public agencies should develop and install a large interpretive display at Peter Skene Ogden Wayside.

2. Managing agencies should coordinate efforts to conduct a comprehensive cultural inventory of lands within the corridor boundaries. Managing agencies should promote the protection of cultural resources on private lands through landowner incentive programs.

3. Public or private agencies shall not modify existing or construct new structures within the high water channel unless they enhance river related resources and comply with free-flow standards.

4. Managing agencies should identify areas which are in need of riparian vegetation protection and restoration and assist landowners in finding ways to protect and restore these areas.

5. Responsible agencies (i.e. ODFW, BLM and National Grasslands) should prohibit the discharge of firearms and hunting within the river corridor except during official State Waterfowl, Big Game and Upland Game hunting seasons.

6. Public agencies should provide for and post standardized, well designed, boundary signs distinguishing private lands from public lands where trespass has been identified as a continual problem.

7. The Bureau of Land Management, Ochoco National Forest and National Grasslands should provide the Oregon State Parks and Recreation Department draft plans, environmental assessments or environmental impact statements on activities that may affect the Middle Deschutes River Scenic Waterway.

8. The State Parks Department shall seek the cooperation of all local, state and federal agencies in meeting the objectives of this program and complying with the State Scenic Waterway Act and State Park Commission rules.

IV. Implementation and Monitoring Strategy

A. Roles and Interagency Relationships

The Middle Deschutes/Lower Crooked Rivers' Management Plan serves as a subordinate site-specific activity plan which compliments and implements portions of the Brothers/LaPine Resource Management Plan (RMP) and the National Grassland Land and Resource Management Plan. These RMP's currently provide direction for all resource management programs, practices, uses, and protection measures on lands managed by the Bureau of Land Management and National Grasslands in the general vicinity of the river corridors. Since the Brothers/LaPine and National Grassland RMP's are already in effect, they will later be amended to incorporate the River Management Plan.

Successful implementation of the Middle Deschutes/Lower Crooked Rivers' Management Plan will require close coordination and cooperation between numerous federal, state, and local government agencies. The primary roles and responsibilities of these management partners are outlined in Chapter 1. Specific roles and responsibilities of the joint management partners beyond those previously outlined are discussed throughout the remainder of this Chapter.

In general, each managing agency will be responsible for management and plan implementation for lands under their jurisdiction. Each managing agency will also be responsible for entering into cooperative agreements with the other managing agencies to ensure management consistency within the river corridors. Management of private landowner compliance to State Scenic Waterway rules on the Middle Deschutes River will remain the responsibility of State Parks in cooperation with Deschutes and Jefferson counties. State Scenic Waterway rule making actions and responsibilities as defined in this plan remain subject to state-level rule making and adoption.

B. Cost Estimates

Management actions proposed under each alternative have been combined into five main categories for budgeting purposes. The four categories include: 1) Area/Facility Development, 2) Resource Analysis Projects, 3) Annual Operation and Maintenance, 4) Annual Program Management, and 5) Monitoring Equipment. The management intent is to implement these actions as soon as the necessary funding can be secured through the agency's budgeting process. Estimated cost figures are derived from both BLM and National Grassland funding requirements and are based on fiscal year 1992 dollar values. Refer to Table 15 for an estimated cost breakdown.

Table 3 - Estimated Cost

Area/Facility Development (1)	**Cost**	**Agency Resp.**
Road Improvements/Stabilization	$175,000	BLM,CRNG
Road Closures	25,000	BLM,CRNG
Road/Trail Easements and Acquisition	85,000	BLM,CRNG
Trail Construction/Stabilization	60,000	BLM,CRNG
Trailheads	20,000	BLM,CRNG
Campground Areas	40,000	BLM
Dispersed Facilities/Signs	9,000	BLM,CRNG
Interpretive Facilities/Signs	38,000	BLM,CRNG
Instream Structures	20,000	BLM,CRNG
Livestock Fencing/Water Sources	6,000	BLM
Wildlife Structures	4,000	BLM,CRNG
TOTAL	**$482,000**	

Resource Analysis Projects (2)	**Cost**	**Agency Resp.**
Instream Flow Studies (both rivers)	$75,000	BLM,CRNG
Water Quality Baseline Data	10,000	BLM,CRNG
Water Resource Analysis Cooperative	5,000	BLM,CRNG
Fish Habitat Inventory	15,000	BLM,CRNG
Fish Population Study	7,000	Coop w/ODFW
Riparian Baseline Data	3,000	BLM,CRNG
Upland Ecological Status Baseline Data	5,000	BLM,CRNG
Wildlife Habitat Inventory	10,000	Coop w/ODFW
Comprehensive Cultural Inventory	80,000	Coop w/Tribes
Inventory New/Proposed Use Areas	6,000	BLM,CRNG
Survey/Post Boundaries in Heavy Public Use Areas Adjacent to Private Land	10,000	BLM,CRNG
TOTAL	**$226,000**	

Annual Operation and Maintenance (3)	Cost	Agency Resp.
Road Maintenance	10,000	BLM,CRNG
Trail Maintenance	5,000	BLM,CRNG
Campgrounds	5,500	BLM
Dispersed Use Areas	5,000	BLM,CRNG
Trailheads	7,000	BLM,CRNG
Signs	4,500	BLM,CRNG
Interpretive Devices	6,000	BLM,CRNG
Private Land Interface	5,000	BLM,CRNG
TOTAL	$48,000	

Annual Program Management (4)	Cost	Agency Resp.
Resource Management (monitoring resources as described in the monitoring section)	$35,000	BLM,CRNG
Information and Education Program	20,000	BLM,CRNG
Volunteer Program	4,000	BLM,CRNG
Vehicle Costs	3,000	BLM,CRNG
Equipment Charges	5,000	BLM,CRNG
Fire Suppression	25,000	BLM,CRNG
Law Enforcement	12,000	BLM,CRNG
Commercial Recreation	2,000	BLM,CRNG
Coordination with Other Agencies and Publics	10,000	BLM,CRNG
TOTAL	$116,000	

Monitoring Equipment (5)	**Cost**	**Agency Resp.**
Water Quality Monitoring Equipment	$10,000	BLM,CRNG
Fish Habitat Survey Equipment	2,500	BLM,CRNG
Recreation Use Monitoring Equipment	5,000	BLM,CRNG
Miscellaneous Equipment	8,000	BLM,CRNG
TOTAL	**$25,500**	

1) Costs related to survey, design, and construction are included in these figures.

2) This category includes resource analysis projects necessary before effective monitoring and resource protection can occur. These estimated figures include administration, labor and contract costs associated with the projects.

3) This category includes administration and labor costs associated with maintenance of facilities within the river corridors.

4) Funding for annual program management includes a variety of elements. The elements described are the most important tools necessary for yearly program management of the river corridors. Administrative costs associated with annual program management are included in these figures.

5) This category includes equipment necessary to govern implementation of the Middle Deschutes/Lower Crooked River Management Plan.

C. Monitoring Plan

The monitoring prescribed in this plan is in addition to the monitoring standards established in the Brothers/LaPine Resource Management Plan and Crooked River National Grassland Land and Resource Management Plan. It expands these RMP's to address resource specific issues of the Middle Deschutes/Lower Crooked River Management Plan.

The monitoring and evaluation of this plan will be based, whenever possible, upon the Limits of Acceptable Change concept (LAC). LAC is based on the premise that change to the ecological and social conditions of an area will occur as a result of natural and human factors. The goal of management is to keep the character and rate of change due to human factors within acceptable levels that are consistent with plan objectives and protection of the river's outstandingly remarkable values.

The primary emphasis of the LAC system is on the desired resource condition, rather than on how much use or abuse an area can tolerate. The management challenge is not one of how to prevent any human-induced change in the planning area, but rather one of deciding what changes should occur, how much change will be allowed, what management actions are needed to guide and control it, and how managers will know when the established limits are being or have been reached.

Once in place and functioning, the mechanics of the LAC system can alert the managing agencies to unacceptable change in the river corridor before it is too late to react. For each river value to be monitored, one or more key indicators are selected which allow managers to keep attuned to changes in the ecosystem or social setting. For each key indicator, a standard is set. This is the threshold value which determines the amount of change that is either desired or will be accepted. The purpose of the indicators and standards is to provide managers with a tool to determine if the resource values and opportunities they are managing for are actually being provided. The standards serve as "triggers" which cause predetermined management actions to be implemented when the limit is being approached.

The LAC process is designed to be the foundation for the long-term protection and enhancement of the primary river-related values in the river corridor. The process must, however, be flexible enough to allow for unique site-specific situation, and to provide ample opportunity for public involvement and adjustment as our resource and social knowledge base increase.

The following section outlines the key indicators, management standards, and monitoring that will be conducted on the Middle Deschutes and Lower Crooked Wild and Scenic River corridors.

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Campground hosts and other volunteers frequently contribute time and effort to help the agencies monitor resources

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Water Quality	Fecal Coliform	A log mean of 200 fecal coliform per 100 milliliters based on a minimum of one sample per 30-day period with no more than 10 percent of the samples in a one year period exceeding 400 per 100 ml.	Identify possible sources of effluent. Work with counties and DEQ to prepare plan for corrective action.	Fecal Coliform grab samples taken to a State-Certified lab; samples taken in spring, summer, and fall on a yearly basis.
	Temperature	Temperature equal to or cooler than 58 degrees or natural water temperature established through baseline monitoring.	Correct management practices that may be contributing to temperature rise.	Monitor temperatures with continuously recording temperature instruments.
	Turbidity	No more than 10 percent increase in natural stream turbidity as established through baseline monitoring.	Correct management practices that may be contributing to turbidity rise.	Monitor turbidity with a automatic water sampler. Samples taken during flushing flows in fall, winter, spring, and during June, July, and August on a yearly basis.
	pH	Maintain pH between 6.5 and 8.5	Correct management practices that may be contributing to pH rise.	Monitor pH with an automatic water sampler instrument the same frequency as in turbidity.
	Dissolved Oxygen	Maintain dissolved oxygen equal to or greater than 5.0 mg./l.	Correct management practices that may be contributing to a reduction in dissolved oxygen. Negotiate for an increase in flow.	Monitor dissolved oxygen with an automatic water sampler instrument weekly during June, July, and August.

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Fish Habitat	Quality and Quantity of Spawning Gravel	Locate areas and measure substrate embedeness and frequency distribution during 1993. Maintain desired quality and quantity of spawning gravel established during baseline monitoring in 1993.	Identify cause of degradation to quality and quantity of spawning gravel and mitigate impact.	Conduct yearly substrate embedeness and pebble count for 5 years, then every 3 years thereafter.
	Rearing Habitat	Maintain pool and habitat quality and quantity at desired levels established during baseline monitoring in 1993.	Identify cause of degradation to rearing habitat and mitigate impact.	Conduct annual habitat survey for 5 years, then every 3 years thereafter.
	Fish Species Composition	Maintain fish species composition using baseline data from ODFW.	Coordinate with ODFW to identify actions that may degrade fish species composition and assist in mitigation.	Coordinate with ODFW to assist in annual fish census.
Riparian Vegetation	Proper functioning ecological condition as indicated by vegetative and streambank condition.	Riparian vegetation would be managed to maintain or enhance vegetative diversity, biomass, and percent cover at desired level determined during baseline monitoring. Obtain 100 percent of shade potential and maintain cutbanks at natural levels as established during baseline monitoring.	Remove/eliminate source of impact (i.e. close campsite, roads, trails, etc.) after inventory assesses the extent of impact.	Conduct riparian resource inventory and photo inventory (infra-red) every 3 years for the next 10 years. Thereafter, conduct every 5 years.

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Upland Vegetation	Ecological condition and trend as indicated by the composition of western juniper, sagebrush, Idaho fescue, and bluebunch wheatgrass.	Upland vegetation would be managed to maintain ecological condition between mid and late seral status. Early seral conditions would be provided as necessary to provide habitat for animal species dependent upon this ecological status.	Utilize a combination of prescribed fire, mechanical vegetation strategies, and mosaic juniper thinning strategies that result in reaching the management standard. Short-term spot grazing and chemical management strategies would be used when no other vegetation management tools are effective.	Conduct ecological site inventory using trend plots in differing ecological communities on all public lands every 3 years. Monitor vegetative management strategies to determine if they successfully achieve the management standard.
Wildlife	River corridor use by Golden Eagle, Prairie Falcon, and Red-tailed Hawk.	Maintain raptor occupancy rates within baseline established in 1992 raptor inventory. Protect active bird of prey nests and roosting sites from human disturbance until nesting, feeding, and fledging are completed. Provide protection of nest sites and nesting habitat sufficient for species involved. Utilize primary and secondary management zone standards defined in the Crooked River National Grasslands Land and Resource Management Plan for protection of nesting and roosting sites.	If raptor occupancy rates fall below 10 percent of 1992 baseline, consult with raptor experts to re-evaluate river management practices.	Conduct raptor inventory to monitor nest occupancy rates and species composition every 5 years. Monitor 10 selected Golden Eagle nest sites yearly.
	Amount of cliff, cave, and talus habitat in river corridors and use by associated species.	Historic records compared with future observations should not indicate downward trends. Maintain the existing amount of cliff, cave, and talus habitat presently available.	If loss of cliff, cave, or talus habitat occurs, provide an off-site mitigation plan.	Inventory cliff, cave, and talus habitats in cooperation with ODFW every 2 to 3 years. Associated species will be surveyed during project evaluations.

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Threatened, Endangered, and Sensitive Plant Species	Number of flowering plants	Detect no more than 30 percent decrease in population numbers with a 90 percent confidence.	Correct or mitigate management practices that may be contributing to a decline in threatened, endangered, or sensitive plant species.	Conduct plant population surveys of high probability sites during each specific species flowering period every 5 years.
Cultural Resources	Cultural Site Integrity	No significant Cultural Resource which is being irreparably damaged by human use or eroded by natural forces to the point that it is in danger of being lost will be acceptable.	Public information and education efforts through brochures, signs, kiosks, and visitor contact points will be implemented. Projects with ground disturbing activities or sites experiencing natural degradation would be relocated or stabilized if possible. Project cancellation or mitigating measures would take place where relocating a planned project is not feasible. Conduct a comprehensive inventory of both river canyons to identify high probability sites.	Conduct an inventory to identify prehistoric and historic sites or features in areas proposed for surface disturbing projects as needed. Each managing agency would maintain a cultural resources database atlas for lands under there jurisdiction. Monitor high probability sites every 2 years for signs of looting or vandalism.

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Scenic Resources	Projects or modifications which significantly alter landform, vegetation, water, color, or character of the corridor.	Contrasts created by new management activities would not be allowed if they attract the attention of the casual observer within the characteristic landscape. Short-term impacts such as those created by trail building or prescribed fire would be allowed. Outstandingly remarkable scenic values will be preserved.	Management actions on public lands not consistent with Visual Resources Management (VRM) and Recreation Opportunity Spectrum objectives will be modified or rejected. Coordinate efforts with Oregon State Parks to insure compliance is occurring on private lands within the Middle Deschutes State Scenic Waterway.	Conduct a VRM study every 5 years to ensure projects and other human caused modifications are consistent with management standards. Individual projects will be analyzed on a case-by-case basis to ensure protection of outstandingly remarkable values. Monitor the number and type of private land use permits being analyzed by State Parks as well as Deschutes and Jefferson counties. This would occur by supporting these agencies through the review process.
Recreation	Quality Experience	Maintain or enhance visitor experience using 1991 baseline data derived from the 1991 visitor use survey. No more that 2 campsites will be visible from other campsites in the river canyon in semi-primitive non-motorized areas. During all use periods, there should be no more than 10 other groups encountered per day in semi-primitive non-motorized areas, except in the Steelhead Falls area.	Develop brochures to inform and educate visitors how to avoid peak use periods and reduce conflicts with other recreationists. High impact recreation opportunities would be limited to specific geographic areas or excluded if found to significantly impact other visitors or the resource. Limit length of stay to 7 nights in developed and dispersed campgrounds. If necessary, recommend management changes to other managing agencies (i.e. ODFW fishing regulations).	Conduct a visitor use survey every 3 years. Focus on use levels, conflicts, and user need. Coordinate with ODFW to conduct an angler preference and statistical creel survey as needed to analyze fishing regulations.

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Roads/Trails	Road erosion and damage related to roadside vegetation and facilities.	Confine motorized vehicles to designated roads. Maintain roads to established federal standards.	Increase road maintenance frequency. Reconstruct/relocate roads and related facilities (i.e. signs, vehicle barriers, etc.) to resolve unlawful access, resource damage, and road safety problems.	Monitor routine road maintenance needs yearly. Utilize feedback from visitor contact.
	Trail erosion and damage related to trailside vegetation and facilities, as well as, trail use safety and user conflicts.	Maintain trails to established federal standards. Prevent trail networking using indirect methods. Trail use and design will be in keeping with Recreation Opportunity Spectrum (ROS) experience level and visual management standards. During all use periods, there should be no more than 10 other groups encountered per day along user developed and constructed trails, except the Steelhead Falls trail.	Increase trail maintenance frequency. Reconstruct/relocate trails to reduce trail networking and encourage appropriate use. Keep trail maps current. Develop brochures to inform and educate visitors how to avoid peak use periods and reduce conflicts with other recreationists. If this is ineffective, create special use areas or restrictions for conflicting trail use activities.	Monitor routine trail maintenance needs yearly. Utilize feedback from routine patrols on high use trails. Establish monitoring points along high use user developed trails to measure trail depth, width, and drainage. Remeasure points every 2 years for the first 4 years, then every 3 years afterward. Conduct routine patrols on high use trails to monitor levels of use and user conflict.
Campgrounds and Dispersed Use Areas	Soil stability Vegetative loss Tree damage Facility damage Litter Accumulation	Impacts to campgrounds and dispersed use areas (trailheads, etc...) will range between light and heavy based on subjective judgement regarding erosion, vegetative change, facility damage, and accumulation of litter as follows: Light: Previous ground vegetation intact allowing natural erosion to occur. Facility damage and litter is not evident. The site has experienced only minimal physical changes. Moderate: Vegetative growth is somewhat retarded allowing minor abnormal erosion to occur. Traces of litter can be found within and adjacent to the site. Minor vandalism, repairable by maintenance, is occurring on facilities such as tables. Physical changes to the site could include: minor tree limbing, movement of rocks and semi-stationary facilities.	Using basic site protection measures, harden all sites to maintain sites between light and heavy standards. Campsites which have received extreme impacts will be rehabilitated and closed until levels of impacts have been mitigated to at least moderate. Other actions could include: increased user education efforts in "minimum impact" camping techniques and seasonal closures of entire campgrounds or dispersed use areas if determined necessary.	Inventory all existing and new proposed sites within the river corridor upon approval of this plan. Remeasure all sites once every 3 years, or when changed conditions indicate the need. Feedback from routine campsite maintenance patrols.

Value to be Maintained and Enhanced	Key Indicator	Management Standard to be Used	Management Actions Triggered if Standard is Not Met	Sampling Procedure and Frequency
Campgrounds and Dispersed Use Areas (cont)		Heavy: Use area vegetation is gone but adjacent vegetation still intact. Abnormal erosion within the site is correctable through maintenance. Major littering is evident within and adjacent to the site and can be corrected through maintenance. Major vandalism, repairable by maintenance, is occurring on facilities and physical features such as tables, rocks, trees and other site protection facilities. Physical changes to the site could include: moderate tree limbing, beginning tree root exposure, trails radiate from site, human caused changes to the layout of the use area. All impacts to camp and dispersed use areas could be resolved through routine maintenance. Extreme: Use area vegetation is gone and adjacent vegetative growth is retarded allowing abnormal erosion to occur within and adjacent to the site. Maintenance can no longer correct soil and vegetative impacts without allowing for temporary closure of the site. The site experiences perpetual littering. Major vandalism can be corrected through maintenance of facilities but not for vandalism to physical features such as rocks, trees and other features. Physical changes to the site could include: dead or cut trees, tree roots exposed, heavy erosion, compacted soil restricting reestablishment of indigenous vegetation within and adjacent to the site, changes in species composition, major trails and satellite areas radiate from site. Maintenance can no longer correct impacts and the site can no longer sustain long-term use without temporary closure to allow natural rehabilitation to occur.		

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Appendix A

Planning Participants

Management Participation

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Chuck McGraw, Jefferson County Planner
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Appendix B

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Appendix C

Glossary

Access - The ability of recreationists to reach the areas in which they wish to recreate.

Allotment - An area of land where one or more livestock operators graze their livestock.

Alternative - A comprehensive management strategy; when a federal agency is considering an action, NEPA requires the agency to develop and analyze a range of reasonable alternatives, including a "no action" or "no change" alternative. The alternatives must respond to the issues, and must show a reasonable range of actions.

Aquatic - Living or growing in or on the water.

Archaeological Site - Geographic locale containing structures, artifacts, material remains and/or other evidence of past human activity.

Artificial Structures - Constructed cavities which provide shelter for wildlife, such as bird houses.

Basic Site Protection Measures - Engineering techniques designed to reduce or control recreation impacts. In campsites it could include natural or man-made vehicle barriers, graveled surfaces, toilets, footpaths, steps and vegetative plantings. (Also see campsite stabilization.)

Bike - A non-motorized form of transportation normally with two wheels and pedals, many are referred to as mountain bikes.

Biodiversity - The relative abundance and variety of species, both plant and animal, in a given area.

Campground - One or more developed campsites in a specific area.

Camping - Outdoor living for recreation.

Campsite - Individual unit for camping.

Campsite Stabilization - Measures taken to reduce camper impact on the natural resources, such as hardening a footpath. Also see Basic site protection measures.

Campsite Rehabilitation - Measures taken to restore damaged campsites and to prevent further damage to natural resources, such as planting grass and shrubs.

Ceded Lands - Lands and certain rights ceded to the United States of America by the Confederated Tribes of the Warm Springs under the treaty of 1855.

Compaction - The process of packing firmly and closely together; the state of being so packed, (i.e. compaction of soil from intense human use or vehicular activity). Soil compaction results from particles being pressed together so that the volume of soil is reduced. It is influenced by the physical properties of the soil, moisture content, and the type and amount of compactive effort.

Crucial Wildlife Habitat - Parts of the habitat needed to sustain a wildlife population at critical periods of its life cycle. This is often a limiting factor on populations, such as breeding habitat and winter habitat.

Cumulative Effects - Effects on the environment resulting from actions that are individually minor, but that add up to a greater total effect as they take place over a period of time.

Cultural Resources - Remains of human (historical and archaeological) activity, occupation, or endeavor, reflected in districts, sites, structures, buildings, objects, artifacts, ruins, works of art, architecture and natural features that were of importance in past human events. Cultural resources consist of: (1) physical remains; (2) areas where significant human events occurred, even though evidence of the events no longer remains; and (3) the environment immediately surrounding the actual resource.

Day Use Area - An area primarily set aside for day use parking, picnicking, and/or access to a variety of day use recreation opportunities.

Desired Future Condition - A vision of the desired future state of a specific area. Desired future condition gives managers goals for the area, but recognizes the dynamic state of the ecosystem, instead of listing numerical outputs as goals.

Developed Campground - Accessible by motor vehicle and contains improvements for camper comfort and sanitary facilities such as toilets, drinking water, tables and trash receptacles.

Early Seral - Ecological status that corresponds to 0 to 25 percent of the plant composition found in the potential natural community. Synonymous with poor range condition.

Ecological Status - Four classes of successional stage (or range condition) used to express the degree to which the composition of the present plant community reflects that of climax. The four classes (followed by the percentage of plant community that is climax for the site) are: Potential, Natural Community, 76-100; Late seral, 51-75; Mid-seral, 26-50 and Early seral, 0-25.

Ecosystem - An interacting system of living organisms considered together with their environment; examples include talus ecosystems or river ecosystems.

Endangered Species - A plant or animal species whose prospects for survival or reproduction are in immediate danger as designated by the Secretary of the Interior and as further defined by the Endangered Species Act of 1973, as amended.

Environmental Assessment - A concise public document that evaluates a proposal for the possibility of significant environmental impacts; the analysis is required by NEPA laws. An environmental assessment results in either a FONSI (Finding of No Significant Impact) and decision notice; or, if impacts will be significant, the agency must then go on to prepare an environmental impact statement.

Erosion - Detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Fecal Coliform - A bacteria found in the human colon; a fecal coliform count is use as an indicator of fecal contamination, if any, in water.

FONSI - Finding of No Significant Impact. Required by NEPA when a federal agency prepares an environmental assessment; documents the reasons why the impacts of the proposed action are not significant, and therefore, the agency is not preparing an environmental impact statement.

Forage - All browse and herbaceous plants that are available to grazing animals including wildlife and domestic livestock.

Gray Water - Sink or other non-sewage waste water.

Ground Cover - Grasses or other plants that keep soil from being blown or washed away.

Guide - A person who provides services by leading one or more other persons in outdoor recreation activities for a fee.

Guide Permit - A license to carry out the activities of a guide.

Habitat - The area where a plant or animal lives and grows under natural conditions. Habitat consists of living and non-living attributes, and provides all requirements for food and shelter.

Historic Site - Locales used by immigrants from the 1820's to 1930's.

Impact - A change in the environment caused by the activities of humans.

Issue - A subject or question of widespread public discussion or interest regarding management of a geographic area which has been identified through public participation.

Late Seral - Ecological status corresponding to 51 to 75 percent of the plant composition found in the potential natural plant community. Synonymous with good range condition.

Launch Site - The riverbank location where boats are placed in or removed from the river.

Limits of Acceptable Change - A process for establishing acceptable and appropriate conditions based on the premise that change to the ecological and social conditions of an area will occur as a result of natural and human factors. The goal of management is to keep the character and rate of change due to human factors within acceptable levels.

Major Site Protection Measures - Engineering techniques designed to physically restrict use to control recreation impacts. In campsites it could include natural or man-made vehicle barriers, graveled or asphalt surfaces, toilets, tent pads, footpaths, steps and vegetative plantings on a much larger scale than basic site protection measures. (Also see campsite stabilization.)

Management Objectives - Parameters or goals to be used as standards to measure the success of the management plan.

Management Plan - A plan guiding overall management of an area administered by a federal or state agency; plan usually includes objectives, goals, management actions, and monitoring plans.

Mid-Seral - Ecological status that corresponds to 26 to 50 percent of the composition found in the potential natural plant community. Synonymous with fair range condition.

Minimum Instream Flow - Flows on the Lower Crooked River released beyond the North Unit Irrigation Canal diversion are required by law to be at least 10 cubic feet per second. This minimum flow was established to help protect instream resources such as fish and aquatic habitat.

Mitigation - Steps taken to avoid or minimize negative environmental impacts. Mitigation can include: avoiding the impact by not taking a certain action; minimizing impacts by limiting the degree or magnitude of the action; rectifying the impact by repairing or restoring the affected environment; reducing the impact by protective steps required with the action; and, compensating for the impact by replacing or providing substitute resources.

Monitoring - The orderly collection of data to evaluate the effects or changes that result from management actions.

Multiple Use - The harmonious use of land or water resources for more than one purpose.

National Register of Historic Places (NRHP) - The official list, established by the Historic Preservation Act of 1966, of the nation's cultural resources worthy of preservation.

National Environmental Policy Act - Commonly known as NEPA; became law in 1969. NEPA is the basic national charter for protection of the environment. The Act requires all federal agencies to consider and analyze all significant environmental impacts of any action proposed by those agencies; to inform and involve the public in the agency's decision making process; and to consider the environmental impacts in the agency's decision making process.

National Wild and Scenic Rivers System - A system of Congressionally designated rivers and their immediate environments that have outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural and/or other values and are preserved in a free-flowing condition. The system is of three types: (1) Recreation - rivers or sections of rivers readily accessible by road or railroad that may have some development along their shorelines and that may have undergone some impoundment or diversion in the past; (2) Scenic - rivers or sections of rivers free of impoundments, with shorelines or watersheds still largely undeveloped but accessible in places by roads; and (3) Wild - rivers or sections of rivers free of impoundments and generally inaccessible except by trails, with watersheds or shorelines essentially primitive and waters unpolluted.

Native Species - Plants or animals that are indigenous to an area.

Non-Commercial - Activities in which there is a bona fide sharing of the cost of the activity between all participants.

No-Trace Camping - The art of camping without leaving signs of use.

Noxious Weed - A plant specified by law as being especially undesirable, troublesome and difficult to control.

Off-Highway Vehicle (OHV) - Any motorized vehicle capable of, or designed for, travel on or immediately over land, water, or other natural terrain, excluding (1) any nonamphibious, registered motorboat; (2) emergency vehicles; and (3) vehicles in official use.

Outfitter - A person who for compensation or other gain, provides equipment, supplies or materials for the conduct of outdoor recreational activities.

Outstandingly Remarkable Values - Term used in the National Wild and Scenic Rivers Act of 1968; to qualify as outstandingly remarkable, a resource value must be unique, rare, or exemplary feature that is significant at a regional or national level.

Partial Retention - Management activities remain subordinate to the characteristic landscape.

Permittee - One who holds a license to use public lands or waters for financial gain.

Plan Objectives - Guiding statements or goals that present the purposes and overall intent of the planning effort.

Planning Area - The Lower Crooked River and its immediate environment within the National Wild and Scenic Rivers boundary between Bowman Dam and Highway 27 mile marker 12.

Potential Natural Community (PNC) - The final or stable biotic community in a successional series. Usually self-perpetuating, it corresponds to 76 to 100 percent of the plant composition found in the potential natural plant community. Synonymous with excellent range condition.

Prehistoric - The period of time before written records.

Public Lands - For the context of this document, public lands represents any land and interest in land managed by the State or the United States Government. Within the corridors these lands encompass Bureau of Land Management, U.S. Forest Service (National Grasslands), and state lands managed by Oregon Department of Fish and Wildlife. Management of Deschutes and Jefferson county public lands within the wild and scenic river corridors is not included within this document. Management of these county lands will be as defined in their revised comprehensive plans.

Recreation Opportunity Spectrum (ROS) - A framework for understanding and defining various classes of recreation environments, activities, and experiences. The classes are defined in terms of the opportunities to have different kinds of experiences; examples are "roaded natural" and semi-primitive.

Resident Fish - Fish species that complete their entire life cycle in freshwater; non-anadromous fish; an example is rainbow trout.

Resource Assessment - An evaluation of the resources and values associated with a wild and scenic river and the river corridor; the evaluation determines the level of significance of river-related values.

Retention - Management activities should not be evident to the casual user.

Right-of-Way - A permit or easement which authorizes a specific use of a specific area of land.

Riparian Area - The land adjacent to water, where water, soil and vegetation interact to form a unique microclimate.

Roaded Natural - One category on the recreation opportunity spectrum (ROS). "Roaded Natural" describes an environment where natural characteristics remain dominant, but there is moderate evidence of human development, and moderate amounts of contact with other people is expected during recreation.

Scoping - The process by which significant issues relating to a proposal are identified. It includes eliciting public comment, evaluating concerns and developing issues and alternatives for consideration.

Sediment - Soil, rock particles and organic or other debris carried from one place to another by wind, water or gravity.

Sedimentation - A process where material carried in suspension by water flows into streams and rivers, increasing turbidity and eventually settling to the bottom.

Semi-Primitive Motorized - One category of the Recreation Opportunity Spectrum (ROS). "Semi-Primitive Motorized" describes an environment that is predominately natural or natural in appearance and often experiences interaction among users. Use of local primitive developed roads with predominately natural surfaces suitable for motorized vehicles is permitted with minimum on-site controls and restrictions.

Semi-Primitive Non-Motorized - One category on the recreation opportunity spectrum (ROS). "Semi-Primitive Non-Motorized" describes an environment where the natural environment dominates the characteristics of the area and development is very limited. Motorized use is prohibited and interaction among users is low.

Special Status Species - A threatened, endangered or sensitive plant or animal species.

Stewardship - The exercise of responsible care of land, water or other natural resources, or recreational resources such as a campsite.

Succession - The process of vegetative community change towards climax or potential natural community.

Threatened Species - A plant or animal species the Secretary of Interior has determined to be endangered in the foreseeable future throughout all or most of its range.

Treaty Rights - Legal rights of the Confederated Tribes of the Warm Springs Indians, established in their treaty with the United States Government in 1855.

Turbidity - A measure of water clarity.

Upland - All rangelands other than riparian or wetland areas.

Vegetative Manipulation - Alteration of present vegetation using fire, plowing or other means to manipulate natural successional trends.

Visual Resources Management (VRM) - VRM has dual program purposes: to manage the quality of the visual environment, and to reduce the visual impact of development activities while maintaining the effectiveness of the management plan objectives. It is a specific process that can be mapped and incorporated into design planning for projects ranging from prescribed burning to campground development.

Water Quality - The chemical, physical and biological characteristics of water with respect to its suitability for a particular use.

Watershed - Lands which are enclosed by a continuous hydrologic drainage divide and located upslope from a specified point on a stream.

Wild and Scenic River - Those rivers or sections of rivers designated as Wild an Scenic by Congressional action, either under the 1968 Wild and Scenic Rivers Act, or under supplements and amendments to that act. The Lower Crooked (Chimney Rock Segment) is one of 40 river segments designated in the Omnibus Oregon Wild and Scenic River Act 1988.

Appendix D

Memorandum of Understanding for River Management

MEMORANDUM OF UNDERSTANDING

FOR RIVER MANAGEMENT

1733(933)

BETWEEN

BUREAU OF LAND MANAGEMENT (OREGON STATE OFFICE)

PARKS AND RECREATION DEPARTMENT (OREGON STATE OFFICE)

AND

USDA FOREST SERVICE

PACIFIC NORTWEST REGION

This agreement is between the United States, Bureau of Land Management (BLM) acting by and through the Oregon State Director; the USDA Forest Service (FS), acting by and through the Regional Forester, Region 6; and the State of Oregon, by and through the Parks and Recreation Department (Parks).

WITNESSETH:

WHEREAS, on various rivers throughout Oregon, the State of Oregon, the BLM and the FS administer, manage or regulate the use of lands within certain river corridors and have various programs and responsibilities in regard to these programs and lands under their respective jurisdiction; and

WHEREAS, the State of Oregon, under the state Scenic Waterways Act and the BLM and FS under the federal Wild and Scenic Rivers Act are charged with parallel duties of identification, planning, and administration of rivers with special qualities as set out in those acts; and

WHEREAS, the State of Oregon, BLM, and FS have differing authorities, jurisdictions, and administrative capabilities as to the lands and waters within the river corridors; and

WHEREAS, the State of Oregon and the United States have common objectives as to the planning and management of these lands and water resources making it desirable for the State of Oregon and the United States to cooperate in the planning and management of these resources; and

WHEREAS, the Regional Forester, FS, has the authority to enter into this agreement by virtue of the authority granted to the Secretary of Agriculture by Sec. 11, P.L. 90-542 as amended thereto; and

WHEREAS, the State Director, BLM has the authority to enter into this agreement by virtue of the authority granted to the Secretary of the Interior by the Federal Land Policy and Management Act (42 U.S.C. 1737) and for components of the National Wild and Scenic Rivers System by virtue of P.L. 90-542 as amended; and

WHEREAS, the State of Oregon, by and through Parks enters into this agreement by virtue of the authority granted by ORS 390.140(2)(b) and

ORS 390.895.

NOW THEREFORE, it is agreed between the parties as follows:

A. When the State of Oregon, the BLM, or the FS determine that a river corridor is under formal consideration for designation under either the state or federal rivers programs, they will notify the other parties and afford them an appropriate opportunity for participation in consideration of the river corridor for designation.

B. The FS and the BLM agree to consult and cooperate with Parks when conducting resource management planning within designated wild and scenic river corridors, designated state scenic waterways, rivers considered candidates for state or federal designation or other rivers mutually agreed upon and identified.

C. When a river which is designated by the State of Oregon as a scenic waterway includes federal lands within its boundaries, Parks will consult and cooperate with the BLM and/or FS as appropriate during the establishment of management guidelines and administrative rules.

D. Work projects or activities which involve transfer of money, services or property will require execution of a separate agreement. Alternative agreements include Challenge Cost-Share Agreements, Participating Agreements, Procurement Contracts and local Memorandum of Understanding. Each project will be signed and documented by the responsible organizational line officer using the appropriate agreement. These agreements will address such matters as planning for recreational developments, acceptable types and levels of use, resource management program constraints and guidelines, and administrative arrangements including the transfer of funds and the sharing of personnel to effectively plan for and manage river corridors. If either federal agency does not manage lands in a particular river corridor, that agency need not be a party to the supplemental agreement for the river.

E. It is recognized that it is in the best interest of the state and federal agencies to avoid duplicative planning processes on designated rivers. Therefore, to the greatest extent possible, management planning on designated rivers shall be consolidated into one process - state and federal - that satisfies the needs of both entities.

In some cases, it may be necessary to determine a lead or coordinating agency to facilitate the process. The responsibilities of the various involved parties shall be enumerated in a memorandum of understanding as described in (D) above.

F. Parks will, to the extent possible, communicate with affected state agencies regarding FS or BLM river corridor planning and management activities subject to this agreement.

G. BLM and FS fully recognize the need to notify and consult with Parks at the earliest possible opportunity regarding land use activities on federal lands that may impact the natural resource values of the rivers shown in Attachment A of this agreement. Upon specific request by FS or BLM, Parks agrees to expeditiously review FS and BLM land use activities on federal lands for any rivers listed in Attachment A. Parks review shall be to determine an activity or project's compatibility with the maintenance of the river's natural beauty according to the standards in the scenic waterway management rules (OAR Chapter 736 Division 40).

H. It is recognized that the parties to this Agreement and their agencies and representatives have responsibilities under statute or otherwise which cannot be waived or abrogated. This agreement does not affect such non-discretionary mandates.

I. Nothing in this Agreement shall commit the parties or their agencies or representatives to the expenditure of funds not authorized by law.

J. Any party may withdraw from this Agreement upon written notice to the other parties. The withdrawal of one or more parties shall not affect the validity of this Agreement as to the remaining parties.

K. Amendments to this Agreement may be proposed by any party and shall become effective on approval by all parties.

L. No member or delegate to Congress or resident Commissioner shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.

M. Attachment A is a list of existing state scenic waterways.

N. Attachment B is a list of existing Federally-designated rivers.

The Parks and Recreation Commission, by a duly-adopted delegation order number 1, authorized the State Parks Director to execute this agreement on behalf of the Commission. Approval for this delegation order was given at its January 26, 1990, meeting.

State of Oregon, by and through
its State Parks and Recreation
Department

David G. Talbot
Director

United States of America, by and
through its USDA Forest Service,
Region 6

for John E. Lowe
JOHN F. BUTRUILLE
Regional Forester

United States of America, by and
through its USDI Bureau of Land
Management, Oregon State Office

for Robert D. Chiemer Jr.
State Director

Appendix E

Oregon Administrative Rules (736-40-005 to 736-40-095)

Chapter 736, Division 40 - State Parks and Recreation

OREGON ADMINISTRATIVE RULES
CHAPTER 736, DIVISION 40 — STATE PARKS AND RECREATION DIVISION

DIVISION 40

OREGON SCENIC WATERWAYS

Rules for Conducting Hearings on Scenic Waterways Regulations

736-40-005 The Commission hereby adopts and promulgates rules and procedures governing hearings on regulations for the management of related adjacent land within scenic waterways as provided in ORS 390.845(2):

(1) The Transportation Commission hereby delegates to the State Parks and Recreation Administrator, or his designated representative, the duty of arranging and conducting auditive public hearings, if such is requested, under the provisions of ORS 390.845(2).

(2) Any public hearing held pursuant to ORS 183.330 shall be fully recorded and transcribed by the Secretary of the Commission, and the Secretary will receive and properly mark all exhibits, documents or other statements introduced or received by the hearing officer at the hearing. Exhibits, documents or other statements received by the Commission within 10 days after any hearing will be made part of the record of the hearing.

(3) Following the transcribing of the hearing, the Commission's Secretary shall file in the Commission's records a full copy of the transcript of the hearing as well as a copy of all exhibits, documents or other statements received at the hearing. The transcript, including exhibits, documents or other statements, will be considered in preparing Scenic Waterways rules and regulations by the Commission.

(4) The procedure under which any hearing will be conducted is as follows:

(a) The comments and exhibits to be received at this hearing will be limited to whether the rules and regulations proposed by the State Parks and Recreation Division are reasonable;

(b) The limits and intent of the proposed rules and regulations will be explained by representatives of the State Parks and Recreation Division;

(c) Except for questions that may be asked by the hearing officer there will be no direct questions to or cross-examination of any individual who is making a statement or introducing exhibits;

(d) Following the opening statements by the representatives of the State Parks and Recreation Division the hearing will be open to anyone in attendance who wishes to make a statement or introduce exhibits, either for or against the proposed rules and regulations. The hearing officer will recognize anyone in attendance for this purpose;

(e) The hearing will be continued with such recesses as are necessary, as determined by the hearing officer, until all persons wishing to make a statement or introduce exhibits have had an opportunity to do so.

Stat. Auth.:
Hist.: HC 1252, f. 5-13-71, ef. 5-12-71

Designated Scenic Waterways

736-40-010 The following rivers or segments of rivers are designated as Scenic Waterways:

(1) The segment of the Rogue River extending from the confluence with the Applegate River downstream a distance of approximately 88 miles to Lobster Creek Bridge.

(2) The segment of the Illinois River from the confluence with Deer Creek downstream a distance of approximately 46 miles to its confluence with the Rogue River.

(3) The segment of the Deschutes River from immediately below the existing Pelton Reregulating Dam downstream approximately 100 miles to its confluence with the Columbia River, excluding the City of Maupin.

(4) The entire Minam River from Minam Lake downstream a distance of approximately 45 miles to its confluence with the Wallowa River.

(5) The segment of the South Fork Owyhee River in Malheur County from the Oregon-Idaho border downstream approximately 25 miles to Three Forks where the main stem of the Owyhee River is formed, and the segment of the main stem Owyhee River from Crooked Creek (6 miles below Rome) downstream a distance of approximately 45 miles to the mouth of Birch Creek.

(6) The segment of the main stem of the John Day River from Service Creek Bridge (at river mile 157) downstream 147 miles to Tumwater Falls (at river mile 10).

(7) The segment of the Sandy River from the east boundary line of Section 25 and Section 36, Township 1 South, Range 4 East, of the Willamette Meridian, in Clackamas County at Dodge Park, downstream approximately 12.5 miles to the west line of the East Half of the Northeast Quarter of Section 6, Township 1 South, Range 4 East, of the Willamette Meridian, in Multnomah County at Dabney State Park.

(8) The confluence of the Rogue and Applegate Rivers is defined as the West boundary line of the East 1/2 of the East 1/2 of Section 19, Township 36 South, Range 6 West, of the Willamette Meridian, in Josephine County.

(9) The segment of the Clackamas River from River Mill Dam to Baker Bridge at Carver.

(10) Opal Lake in Marion County and the main stream of Opal Creek from Opal Lake to its confluence with Battle Ax Creek.

(11) Waldo Lake in Lane County and the segment of the North Fork of the Middle Fork of the Willamette River from Waldo Lake to a point one mile upstream from the railroad bridge that is near the town of Westfir.

(12) The following segments of the Upper Deschutes River in Jefferson and Deschutes Counties are classified as a state scenic waterway. Those segments are: The gauging station (approximately river mile 226.4) immediately below Wickiup Dam downstream approximately 28 miles to the General Patch Bridge at river mile 199; that segment beginning at Harper Bridge at river mile 192 downstream approximately 20 miles to river mile 172 above Bend, Oregon; and the segment beginning at Twin Bridges at river mile 154.5 downstream approximately 34.5 miles to Lake Billy Chinook approximately river mile 120 excluding the Cline Falls Dam and powerhouse between river miles 145 and 144.

Stat. Auth.: ORS Ch. 184 & 390
Hist.: HC 1258, f. 6-30-71; HC 1285, f. 6-27-72; 1OTC 6, f. 11-1-73; 1OTC 14, f. 12-5-73; PR 7-1985, f. & ef. 10-24-85.

PR 6-1986, f. & ef. 5-28-86; PR 7-1986, f. & ef. 5-28-86 ; PR 2-1988, f. & cert. ef. 3-25-88

Definition of Terms

736-40-015 As used in these rules and regulations, unless the context requires otherwise:

(1) "The Act" means the Scenic Waterways Act (ORS 390.805 to 390.925).

(2) "Commission" means the Oregon Transportation Commission.

(3) "Existing Use" means the use to which related adjacent land was being put on December 3, 1970, or any subsequent change in use authorized under the Act or these rules.

(4) "Improvement" means the placing on related adjacent land of any building or structure or modification of existing buildings or structures or the clearing, leveling, filling or excavating of related adjacent land.

(5) "Related Adjacent Land" means all land within one-fourth of one mile (measured horizontally or level, as in usual surveying practice) of the bank on each side of a river within a scenic waterway, except land that, in the Commission's judgment, does not affect the view from the waters within a scenic waterway.

(6) "River Bank" The banks of a river are the boundaries which confine the water to its channel throughout its entire width when the stream is carrying high water at the elevation to which it ordinarily rises annually in season. Generally this will be the line at which the land becomes dominantly influenced by the river and takes on the characteristics of a riverbed and is thereby set apart from the uplands. An evulsion or sudden channel change will not change the boundaries of related adjacent lands.

(7) "Road" means all roads, public and private.

(8) "Scenic Easement" means the acquired right to control the use of related adjacent land, including airspace above such land, for the purpose of protecting the scenic view from waters within a scenic waterway.

(9) "Scenic Waterway" means a river or segment of a river, including related adjacent land and the airspace above, that has been so designated by or in accordance with the Act.

(10) "Seen from the waters" and "visible from the river" mean not entirely concealed from view from the river within a scenic waterway by topography. Land beyond the boundaries of "related adjacent land", whether or not visible from the river, is not within the jurisdiction of this Act.

Stat. Auth.:
Hist.: HC 1258, f. 6-30-71; HC 1285, f. 6-27-72

Responsibility and Authority of the Oregon Transportation Commission

736-40-020 (1) The Act shall be administered by the Commission in such a manner as to protect and enhance the values which caused a scenic waterway to be included in the system. Primary emphasis shall be given to protecting the scenic beauty, fish and wildlife, scientific and recreation features, based on the special attributes of each area.

(2) The Commission has adopted these regulations governing the management of related adjacent lands, including state highway construction, after due consideration of the responsibilities outlined above and consultation with the Oregon State Department of Forestry, the Department of Agriculture, and other such federal, state, and local agencies as may be involved; and with the concurrence of the State Water Resources Board.

(3) Agreements entered into and approvals given by the Commission in no way relieve persons or entities affected thereby of requirements established by other governmental agencies, local, state or federal.

Stat. Auth.:
Hist.: HC 1258, f. 6-30-71; HC 1285, f. 6-27-72

Public Use of Scenic Waterways

736-40-025 (1) These rules apply to all scenic waterways unless more specific rules have been adopted for a particular scenic waterway. All persons using scenic waterways for recreation shall comply with the provisions of the Act and with the rules and regulations adopted by the Commission under the Act:

(a) Private Property: Nothing in the Act or in these rules and regulations affords to any person any right to trespass upon the property of another or in any way alters the rights of private landholders in regard to trespass. The Commission admonishes all persons to respect the rights and sensibilities of those who make their homes and livelihoods within the scenic waterways;

(b) Litter and Pollution: Refuse, scrap, trash and garbage which is not placed in receptacles provided for that purpose at maintained recreation sites shall not be buried or abandoned, but shall be taken out of the scenic waterways for proper disposal. All persons shall avoid pollution of the waters, lands and air within scenic waterways in any manner whatsoever;

(c) Fires: Fires shall be made only in compliance with state law and only when and where there is no possibility of their causing damage. Conditions of wind and weather, proximity of vegetation or flammable materials and other factors as prudence dictates shall be most carefully considered. No open fire shall be made unless a shovel, axe and bucket of water are nearby. No open fire shall be left unattended and all fires shall be completely extinguished with water after use. Permissible fires shall be of the smallest practicable size;

(d) Tree Cutting: Living or standing trees or plants shall not be cut for burning or for any other purpose by persons using the scenic waterways for recreation;

(e) Collecting Souvenirs and Relics: Except as provided by law, antiquities, relics, artifacts, fossils and souvenirs shall not be removed from the site of their discovery or otherwise harmed. Archeological sites and fossil beds shall not be disturbed without proper authority under law;

(f) Livestock: Persons using the scenic waterways for recreation shall not harass or in any way interfere with livestock or domestic animals, whether on private or public land, or damage fences lawfully placed on such lands for their management.

(2) Natural springs shall not be damaged or in any way rendered unusable by persons or animals.

(3) The Commission asks all persons to leave in passing no mark upon the land that might diminish its value to another, for the unspoiled beauty of these waterways, of value to the human spirit, is the common heritage of all.

Stat. Auth.: ORS Ch. 390
Hist.: HC 1285, f. 6-27-72; PR 3-1982, f. & ef. 3-26-82

Land Management

Improvements and Changes in Use of Related Adjacent Lands

736-40-030 (1) Except as provided in section (5) of this rule, OAR 736-40-035 and 736-40-045 through 736-40-075, no person shall make any improvement or change in the existing use of related adjacent land without first giving written notification to the Commission of the intent to make an improvement or change in land use. The proposed improvement or change in land use shall not be made or work started sooner than one year after such notice unless the Commission has given its written approval of the proposal. (See notification procedures in OAR 736-40-080.)

(2) Upon receipt of such notice, the Commission shall determine if the proposal would impair the natural beauty of the scenic waterway substantially.

(3) If the proposed improvement or change of land use would not impair the natural beauty substantially, the Commission shall give written notice to the owner of the related adjacent land that he may proceed immediately with the proposal as described in his notification to the Commission.

(4) Should the Commission determine that the proposal, if carried out, would impair the natural beauty of the scenic waterway substantially, or otherwise violate the provisions of the Act or these rules and regulations, it will so notify the owner of the related adjacent land in writing. No steps shall be taken by the applicant to carry out such proposal until at least one year after the original notice to the Commission unless agreement with the Commission is sooner reached. (See OAR 736-40-080.)

(5) In connection with existing use of related adjacent land, farmers, ranchers and residents may modify existing structures or construct or place such subsidiary and lesser structures adjacent thereto, except residences or guest houses, as are usual and necessary to their existing use without prior notice to the Commission, provided that such modification or construction will not violate subsections (7)(a) and (b) of this rule OAR 736-40-035 and will be in harmony with the natural beauty of the scenic waterway.

(6) Repair and maintenance of existing facilities and structures in a manner compatible with these rules and regulations do not require notification to the Commission.

Stat. Auth.:
Hist.: HC 1285, f. 6-27-72; 1OTC 6, f. 11-1-73

Rules of Land Management

736-40-035 These rules and regulations governing the use of related adjacent lands and improvements made on or to these lands apply to all designated scenic waterways. Land management on scenic waterways includes, but is not limited to, the following examples:

(1) Timber Harvest: The forest cover on related adjacent land is a part of the scenic beauty of the scenic waterway and notification of planned timber harvest operations must be given to the Commission one year prior to commencement. The notification must include a plan specifying timber to be cut, road locations, logging methods, slash cleanup, soil stabilization, revegetation measures and any other details as the Commission may require.

(2) Tree Cutting: No person shall cut any living tree within a scenic waterway without prior written notice except as provided in these rules.

(3) Grazing and Farming: Existing use in the form of grazing or farming of the related adjacent land is a part of the scenic beauty of the waterway. Notification is not required for:

(a) Construction of fences;

(b) Maintenance of farm buildings, fences or appurtenances necessary to existing use;

(c) Laying of irrigation lines;

(d) Pumphouse construction, if not in violation of OAR 736-40-030(5);

(e) Additions to farm buildings, if not in violation of OAR 736-40-030(5);

(f) Crop rotation;

(g) Variations in grazing land management;

(h) Placing of grazing land under cultivation, except within classified natural river areas named in OAR 736-40-045 through 736-40-075;

(i) Construction of silos and grain storage facilities, and other structures or buildings as are needed in connection with the existing use of the related adjacent land, if not in violation of OAR 736-40-030(5), except within classified natural river areas named in OAR 736-40-045 through 736-40-075;

(j) Cutting of danger trees. Notification is required for construction of new roads or improvement of existing roads.

(4) Suburban Housing: Notification is not required for:

(a) Maintenance of existing homes in a manner compatible with these rules and regulations;

(b) Modifications to existing single family dwellings, if not in violation of OAR 736-40-030(5);

(c) Construction of garages necessary to the use of existing homes, if not in violation of OAR 736-40-030(5);

(d) Changes in or additions to homesite landscaping which do not impair vegetation screening structures from view from the river;

(e) Construction of protective fences necessary to use of the home;

(f) Cutting of firewood for occupant's dwelling;

(g) Cutting of danger trees. Notification is required for construction of new roads or improvement of existing roads.

(5) Prospecting, Mining, Dredging, and Quarrying:

(a) All prospecting, mining, dredging, and quarrying operations, including removal or movement of gravel, rocks and sand within related adjacent lands, require notification to the Commission as prescribed herein;

(b) Such notification shall include plans to insure that debris, silt, chemicals or other materials, shall not be discharged into or allowed to reach the waters within a scenic waterway and that the natural beauty of the scenic waterway shall not be impaired substantially.

(6) Transportation Facilities and Utilities:

(a) No roads, railroads or other facilities for transportation or utilities shall be constructed or improved within a scenic waterway without notification to the Commission as prescribed by the Act and herein;

(b) The Commission, whenever practicable, will require the sharing of land and airspace by such facilities and utilities. All permissible transportation facilities and utilities shall be so located as to minimize impairment of the natural beauty of the scenic waterway. For example, it will be desirable to place electrical and telephone lines underground wherever reasonably practicable.

(7) Structures, Buildings, and Other Improvements: Except as provided in OAR 736-40-030(5), sections (3) and (4) of this rule and OAR 736-40-045 through 736-40-075, no structures, buildings, or other improvements shall be made, erected or placed on related adjacent lands without notification to the Commission as prescribed by the Act and herein. Permitted new structures, buildings, or other improvements on related adjacent lands which can be seen from the waters within a scenic waterway shall:

(a) Be of such design and be constructed of such materials as to be unobtrusive and compatible with the scenic qualities of the area. For example, the following shall apply:

(A) All structures shall be finished inmuted tones appropriate to their natural surroundings:

(B) No large areas, including roofs, shall be finished with white or bright colors or reflective materials;

(C) Except for large farm buildings such as barns, metal siding or roofing shall not be used;

(D) No structures shall exceed 30 feet in height from natural grade on a side facing the river;

(E) All structures shall be so designed and constructed that little or no soil is left exposed when construction is completed.

(b) Be located in such a way that topography and natural vegetation make them as inconspicuous as reasonably practicable, and in no case obtruding on the view from the river. The Commission may require that additional vegetative screening be established and maintained. In such event, it shall be evergreen, wherever practicable, and compatible with natural growth in the area.

(8) Mobile homes, modular residential structures, house trailers, campers and similar structures and vehicles. Mobile homes, modular residential structures, house trailers, campers, motor homes and the like shall not be established as dwellings, either permanent, (or) seasonal or temporary, within related adjacent lands unless they are entirely concealed from view from the waters within a scenic waterway by topography, except, that those mobile homes, modular residential structures and house trailers that are at least 20 feet wide, with exterior dimensions, less hitch, of 800 square feet, may be permitted under these rules subject to the same requirements and standards set forth in the previous section relating to criteria for review for structures and improvements that are visible from the waters within a scenic waterway. Additionally, except when a mobile home, modular residential structure, house trailer or the like is not set on a ground-level foundation, full skirting shall be installed which in design, color and texture appears to be an integral part of the exterior of the structure:

(a) For purposes of these rules, a structure is a mobile home, modular residential structure, house trailer, camper or motor home if it is used, designed or intended to house persons, and is transported to the site in a state of substantial prefabrication. Once a structure fulfills this test, it shall remain subject to the rule regardless of whether the wheels or other temporary assembly have been removed or detached, and regardless of whether the structure is subsequently relocated;

(b) Within public recreation sites and transient public trailer parks where travel trailers, campers, motor homes and similar vehicles are permitted by the public agency, firm or individual maintaining the facility, their transient, short-term use by travelers is allowed, but they shall not be left on the site during their user's absence of more than three (3) day's duration.

(9) Maintenance of Structures and Improvements: Owners and users of existing structures and other improvements shall maintain them and their surroundings in a manner and condition in harmony with the environment, compatible with the objectives set forth in these rules and regulations for the classified river area in which they lie, and without impairing substantially the natural beauty of the scenic waterway. The existing color of such structures may be maintained.

(10) Replacement of Existing Structures and Improvements: Replacement of existing structures and improvements, including those lost by fire, flood or other casualty, will be permitted, provided the new structure or improvement is in compliance with provisions of the Act and these rules and regulations. Notification procedures set forth in OAR 736-40-040 and Commission approval are required.

(11) Advertising: No signs or other forms of outdoor advertising that are visible from waters within a scenic waterway shall be constructed or maintained. Property protection signs (No Hunting, No Trespassing, et cetera) are exempted.

(12) Erosion Protection: The Commission recognizes that erosion protection work and maintenance may be necessary on riverbanks and related adjacent lands along the scenic waterways. Notification, which shall include plans to protect the natural beauty of the scenic waterway, and Commission approval are required.

(13) Submerged and Submersible Lands:

(a) No dam or reservoir or other water impoundment facility shall be constructed or placer mining permitted on waters within scenic waterways. No water diversion facility shall be constructed or used except by right previously established or as permitted by the State Engineer;

(b) No bank protection works or dredging facility shall be constructed or used on such waters, except as permitted by the Director of the Division of State Lands and approved by the State Land Board.

(14) Emergencies:

(a) The owner or his authorized agent may act in emergencies without prior notice when necessary in the interest of public safety, or safety of his own property, except that notice of any action taken shall be filed with the Commission not later than seven days following the commencement of the emergency procedures;

(b) The owner or his authorized agent must show that the emergency situation required immediate action to prevent immediate danger or damage. Such emergency procedures shall not be extended beyond the minimum necessary to accomplish the needed protection safely and shall be conducted throughout in such manner as to minimize impairment of the natural beauty of the scenic waterway. For example, car bodies and similar scrap or trash shall not be used as riprap.

(15) Solid Waste, Pollution and Sanitation: Owners, occupants and users of related adjacent land shall comply with the rules and regulations of the Department of Environmental Quality relating to solid waste control, water, air and noise pollution control and sewage disposal.

Stat. Auth.:
Hist.: HC 1285, f. 6-27-72; 1OTC 6, f. 11-1-73; 1OTC 28, f. 6-15-74; PR 12-1981, f. & ef. 7-29-81

Classification of Scenic Waterways and Segments Thereof

736-40-040 (1) OAR 736-40-040 through 736-40-075 supplement, but in no way alter, other provisions of these rules and regulations. Notification procedures set forth in OAR 736-40-030, 736-40-035 and 736-40-080, relating to Land Management, are applicable to these rules. In order to establish varying intensities of protection or development based on special attributes of each area within the scenic waterways, the following classifications are established:

(a) Natural River Areas:

(A) Those designated scenic waterways or segments thereof that are generally inaccessible except by trail or the river, with related adjacent lands and shorelines essentially primitive. These represent vestiges of primitive America;

(B) Natural River Areas may include an occasional lightly traveled road, airstrip, habitation or other kind of improvement already established, provided the effects are limited to the immediate vicinity;

(C) Natural River Areas will be administered to preserve their natural, wild and primitive condition, essentially unaltered by the effects of man, while allowing compatible recreational uses, other compatible existing uses and protection of fish and wildlife habitat.

(b) Scenic River Areas:

(A) Those designated scenic waterways or segments thereof with related adjacent lands and shorelines still largely primitive and largely undeveloped, except for agriculture and grazing, but accessible in places by roads. Scenic River Areas may not include long stretches of conspicuous or well-traveled roads paralleling the river in close proximity, but may include extensive areas in agricultural use;

(B) Scenic Areas will be administered to maintain or enhance their high scenic quality, recreational value, fishery and wildlife habitat, while preserving their largely undeveloped character and allowing continuing agricultural uses.

(c) Recreational River Areas:

(A) Those designated scenic waterways or segments thereof that are readily accessible by road or railroad, that may have some development along their shorelines and related adjacent lands, and that may have undergone some impoundment or diversion in the past;

(B) Recreational River Areas will be administered to allow continuance of compatible existing uses, while allowing a wide range of compatible river-oriented public outdoor recreation opportunities, to the extent that these do not impair substantially the natural beauty of the scenic waterway or diminish its esthetic, fish and wildlife, scientific and recreational values.

(d) Natural Scenic View Areas:

(A) Those designated shorelines and related adjacent lands, lying along only one bank of a river within a scenic waterway, which possess the qualities of a Natural or Scenic River Area except that the opposite shoreline and related adjacent land, by reason of accessibility, or development, qualifies only for a less restrictive classification;

(B) Natural Scenic View Areas will be administered to preserve or enhance their essentially primitive scenic character, while allowing compatible public outdoor recreational use.

(e) Accessible Natural River Areas:

(A) Those designated scenic waterways or segments thereof that are readily accessible by road or railroad but otherwise possess the qualities of a Natural or Scenic River Area;

(B) Accessible Natural River Areas will be administered to protect or enhance their essentially primitive scenic character, while allowing compatible public outdoor recreation use.

(f) River Community Areas — Those designated areas of a scenic waterway, perhaps on only one bank of the river, where density of structures or other developments, already existing or provided for precludes application of a more restrictive classification.

(2)(a) Within the general framework of these classifications, the Commission will further consider the nature and extent of existing land uses and developments, the scenic qualities and the esthetic, fish and wildlife, scientific and recreational values of each classified area within the scenic waterways in determining whether, in its judgment, proposals for changes of land use or improvements are compatible with the Act;

(b) Because of the individual character of each scenic waterway, administrative criteria within each of the six classifications may vary from one scenic waterway to another.

Stat. Auth.:
Hist.: HC 1285, f. 6-27-72

Appendix F

Middle Deschutes/Lower Crooked Wild and Scenic River Boundary Legal Description

Lower Crooked River

Legal description of the proposed boundary commencing at the National Grassland boundary and extending downstream to River Mile 8 south of Opal Springs. Refer to Appendix F for visual representation of boundary legals.

T. 13 S., R. 13 E., W. M.

Section 32:

Beginning at the southwest 1/16 corner of section 32, thence westerly to the south 1/16 corner common to sections 31 and 32.

Section 31:

Thence northwesterly to the center east 1/16 corner, thence westerly to the center west 1/16 corner, thence northwesterly to the 1/4 corner on the east line of section 36, T. 13 S., R. 12 E., W. M.

T. 13 S., R. 12 E., W. M.

Section 36:

Thence northerly to the west section corner common to sections 30 and 31, T. 13 S., R. 13 E., W. M.

T. 13 S., R. 13 E., W. M.

Section 30:

Thence northeasterly to the center west 1/16 corner, thence northerly to the west 1/16 corner common to sections 19 and 30.

Section 19:

Thence continuing northerly to the southwest 1/16 corner, thence northeasterly to the center 1/4 corner, thence northwesterly to the north 1/16 corner on the west section line of section 19, thence northerly to the section corner common to sections 18 and 19 on the east line of section 24, T. 13 S., R. 12 E., W. M.

T. 13 S., R. 12 E., W. M.

Section 24:

Thence continuing northerly to the east section corner common to sections 13 and 24.

Section 13:

Thence continuing northerly to the 1/4 corner on the east section line of section 13, thence westerly to the center 1/4 corner, thence northerly to the center north 1/16 corner, thence westerly to the north 1/16 corner common to sections 13 and 14.

Section 14:

Thence continuing westerly to the northeast 1/16 corner, thence northwesterly to the 1/4 corner common to sections 11 and 14.

Section 11:

Thence continuing northwesterly to the 1/4 corner common to sections 10 and 11, thence northerly to the section corner common to sections 2, 3, 10, and 11.

Section 3:

Thence northwesterly to the southeast 1/16 corner, thence westerly to the southwest 1/16 corner, thence northerly to the center west 1/16 corner, thence westerly to the 1/4 corner common to sections 3 and 4.

Section 4:

Thence northerly to the north 1/16 corner common to sections 3 and 4, thence westerly to the north 1/16 corner common to sections 4 and 5, thence southeasterly to the west 1/16 corner common to sections 4 and 9.

Section 9:

Thence southeasterly to the 1/4 corner common to sections 9 and 10.

Section 10:

Thence northeasterly to the center north 1/16 corner, thence southerly to the center south 1/16 corner, thence easterly to a point 200 feet west of the lower rimrock of the Crooked River Gorge, elevation approximately 2,400 feet, thence southeasterly on a line 200 feet southwesterly and parallel to said rimrock to the intersection with the section line common to sections 10 and 15.

Section 15:

Thence continuing southeasterly on a line 200 feet southwesterly and parallel to said rimrock to the intersection of the section line common to sections 14 and 15.

Section 14:

Thence continuing southeasterly on a line 200 feet southwesterly and parallel to said rimrock to the intersection of the north south center line of the southeast 1/4 of section 14, thence southerly on said north south center line to the surveyed community area boundary of the Crooked River Ranch No. 16 Subdivision, thence easterly and southeasterly on said community area boundary to the intersection of the section line common to sections 13 and 14.

Section 13:

Thence continuing southeasterly, easterly, and southeasterly on said community area boundary to the intersection of the section line common to sections 13 and 24.

Section 24:

Thence continuing southeasterly, southwesterly, and southeasterly on said community area boundary to the east-west centerline of section 24, thence easterly on said center line to the center 1/4 corner, thence continuing easterly to a point 200 feet westerly of the lower rimrock of the Crooked River Gorge, elevation approximately 2,560 feet, thence southerly on a line 200 feet westerly and parallel to said rimrock to the intersection with the north south center line of the southeast 1/4 of section 24, thence southerly to the east 1/16 corner common to sections 24 and 25.

Section 25:

Thence easterly on the section line common to sections 24 and 25 to a point 200 feet westerly of the rimrock of the Crooked River Gorge, elevation approximately 2,600 feet, thence southerly on a line 200 feet westerly and parallel to said rimrock to the section line common to sections 25 and 36.

Section 36:

Thence westerly on the section line common to sections 25 and 36 to the surveyed line along the edge of the Crooked River Gorge as shown on the survey plat for Crooked River Ranch, Phase One, thence southwesterly and southeasterly on said survey line to the intersection with the section line common to section 31, T. 13 S., R. 13 E., and section 36, T. 13 S., R. 12 E., W. M.

T. 13 S., R. 13 E., W. M.

Section 31:

Thence southerly to the south 1/16 corner on the west line of section 31, thence southeasterly to the center south southeast 1/64 corner, thence southerly to the east 1/16 corner on the south line of section 31, thence easterly on the said section line to the south corner common to sections 31 and 32.

Section 32:

Thence continuing easterly on the south section line of section 32 to the west 1/16 corner on the south line of section 32, thence northerly to the Point of Beginning.

Middle Deschutes River

Legal description of the proposed boundary commencing at Odin Falls and extending downstream to the upper end of Billy Chinook Reservoir. Refer to Appendix F for visual representation of boundary legals.

T. 14 S., R. 12 E., W. M.

Section 26:

Beginning at the southeast southeast 1/64 corner, thence northwesterly to the center north 1/16 corner, thence westerly to the northwest 1/16 corner, thence northerly to the west 1/16 corner common to sections 23 and 26.

Section 23:

Thence continuing northerly to the southwest 1/16 corner, thence northeasterly to the east 1/16 corner common to sections 14 and 23.

Section 14:

Thence northerly to the east 1/16 corner common to sections 11 and 14.

Section 11:

Thence continuing northerly to the intersection with the southerly right-of-way boundary of Lower Bridge Market Road, thence westerly along said road right-of-way boundary to the intersection with the section line common to sections 10 and 11.

Section 10:

Thence continuing westerly along said road right-of-way boundary to the intersection with the north-south center line of the southeast 1/4 of the southeast 1/4 of section 10, thence southerly along said north-south center line to the section line common to sections 10 and 15.

Section 15:

Thence continuing southerly along the north-south center line of the northeast 1/4 of the northeast 1/4 of section 15 to the center east northeast 1/64 corner, thence westerly to the center north 1/16 corner, thence northwesterly to the section corner common to sections 9, 10, 15, and 16.

Section 9:

Thence northwesterly to the southeast 1/16 corner, thence northeasterly to the north-south 1/64 corner common to sections 9 and 10.

Section 10:

Thence continuing northeasterly to the west 1/16 corner, thence northwesterly to the north 1/16 corner common to sections 9 and 10, thence northeasterly to the 1/4 corner common to sections 3 and 10.

Section 3:

Thence northwesterly to the 1/4 corner common to sections 3 and 4, thence northerly to the north-north 1/64 corner common to section 3 and 4, thence northeasterly to the west-west 1/64 corner common to section 3, T. 14 S., R. 12 E., and section 34 T. 13 S., R. 12 E., W. M.

T. 13 S., R. 12 E., W. M.

Section 34:

Thence easterly to the west 1/16 corner common to sections 3, T.14 S., R. 12 E., and section 34 T. 13 S., R. 12 E., W. M., thence northerly to the center west 1/16 corner, thence westerly to the 1/4 corner common to sections 33 and 34, thence northerly to the section corner common to sections 27, 28, 33, and 34.

Section 27:

Thence northerly to the south 1/16 corner common to sections 27 and 28, thence easterly to the southwest 1/16 corner, thence northerly to the west 1/16 corner common to sections 22 and 27.

Section 22:

Thence easterly to the 1/4 corner common to sections 22 and 27, thence northerly to the center south 1/16 corner, thence westerly to the south 1/16 corner common to sections 21 and 22.

Section 21:

Thence northerly to the 1/4 corner common to sections 21 and 22, thence westerly to the center west 1/16 corner, thence northerly to the northwest 1/16 corner, thence westerly to the north 1/16 corner common to sections 20 and 21.

Section 20:

Thence northerly to the section corner common to sections 16, 17, 20, and 21.

Section 17:

Thence continuing northerly to the section corner common to sections 8, 9, 16, and 17.

Section 8:

Thence continuing northerly to the 1/4 corner common to sections 8 and 9, thence westerly to the center 1/4 corner, thence northerly to the center north 1/16 corner, thence westerly to the northwest 1/16 corner, thence northerly to the west 1/16 corner common to sections 5 and 8.

Section 5:

Thence continuing northerly to the center south southwest 1/64 corner, thence northeasterly to the center east southwest 1/64 corner, thence easterly to the center south 1/16 corner, thence northeasterly to the east 1/16 corner common to section 5, T. 13 S., R. 12 E., and section 32, T. 12 S., R 12 E., W. M.

T. 12 S., R 12 E., W. M.

Section 32:

Thence northerly to the east 1/16 corner common to sections 29 and 32.

Section 29:

Thence northeasterly to the south 1/16 corner common to sections 28 and 29, thence easterly to the south 1/16 corner common to sections 29 and 30, thence southerly to the section corner common to sections 29, 30, 31, and 32.

Section 31:

Thence continuing southerly to the north 1/16 corner common to sections 31 and 32, thence westerly to the center north 1/16 corner, thence southerly to the center south 1/16 corner, thence easterly to the south 1/16 corner common to sections 31 and 32, thence southerly to the section corner common to sections 31 and 32, T. 12 S., R. 12 E., and sections 5 and 6, T. 13 S., R. 12 E., W. M.

T. 13 S., R. 12 E., W. M.

Section 6:

Thence southwesterly to the southeast 1/16 corner, thence southerly to the east 1/16 corner common to sections 6 and 7.

Section 7:

Thence continuing southerly to the southwest 1/16 corner, thence southeasterly to the section corner common to sections 7, 8, 17 and 18.

Section 17:

Thence southerly to the north 1/16 corner common to sections 17 and 18, thence easterly to the center north 1/16 corner, thence southwesterly to the east west 1/64 corner common to sections 17 and 20.

Section 20:

Thence southeasterly to the center north 1/16 corner, thence easterly to the northeast 1/16 corner, thence southerly to the east 1/16 corner common to sections 20 and 29.

Section 29:

Thence continuing southerly to the northeast 1/16 corner, thence easterly to the north 1/16 corner common to sections 28 and 29.

Section 28:

Thence continuing easterly to the center north 1/16 corner, thence southerly to the center south 1/16 corner, thence southwesterly to the west 1/16 corner common to sections 28 and 33.

Section 33:

Thence southeasterly to the 1/4 corner common to sections 32 and 33, thence southerly to the section corner common to sections 32 and 33, T. 13 S., R. 12 E., and sections 4 and 5, T. 14 S., R. 12 E., W. M.

T. 14 S., R. 12 E., W. M.

Section 4:

Thence southeasterly to the center 1/4 corner, thence southerly to the center south 1/16 corner, thence southeasterly to the section corner common to sections 3, 4, 9, and 10.

Section 9:

Thence southwesterly to the northeast 1/16 corner, thence southerly to the center east 1/16 corner, thence westerly to the center east west 1/64 corner, thence southerly on the north south center line of the east half of the southwest quarter to the east-west 1/64 corner common to sections 9 and 16.

Section 16:

Thence southeasterly to the 1/4 corner common to sections 15 and 16.

Section 15:

Thence continuing southeasterly to the southwest 1/16 corner, thence northeasterly to the 1/4 corner common to sections 14, and 15.

Section 14:

Thence easterly to the center west 1/16 corner, thence southerly to the west 1/16 corner common to sections 14 and 23.

Section 23:

Thence southwesterly to the north 1/16 corner common to sections 22 and 23.

Section 22:

Thence continuing southwesterly to the center east 1/16 corner, thence southerly to the east 1/16 corner common to sections 22 and 27.

Section 27:

Thence southeasterly to the north 1/16 corner common to sections 26 and 27.

Section 26:

Thence southeasterly to the southwest southeast 1/64 corner, thence easterly to the Point of Beginning.

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